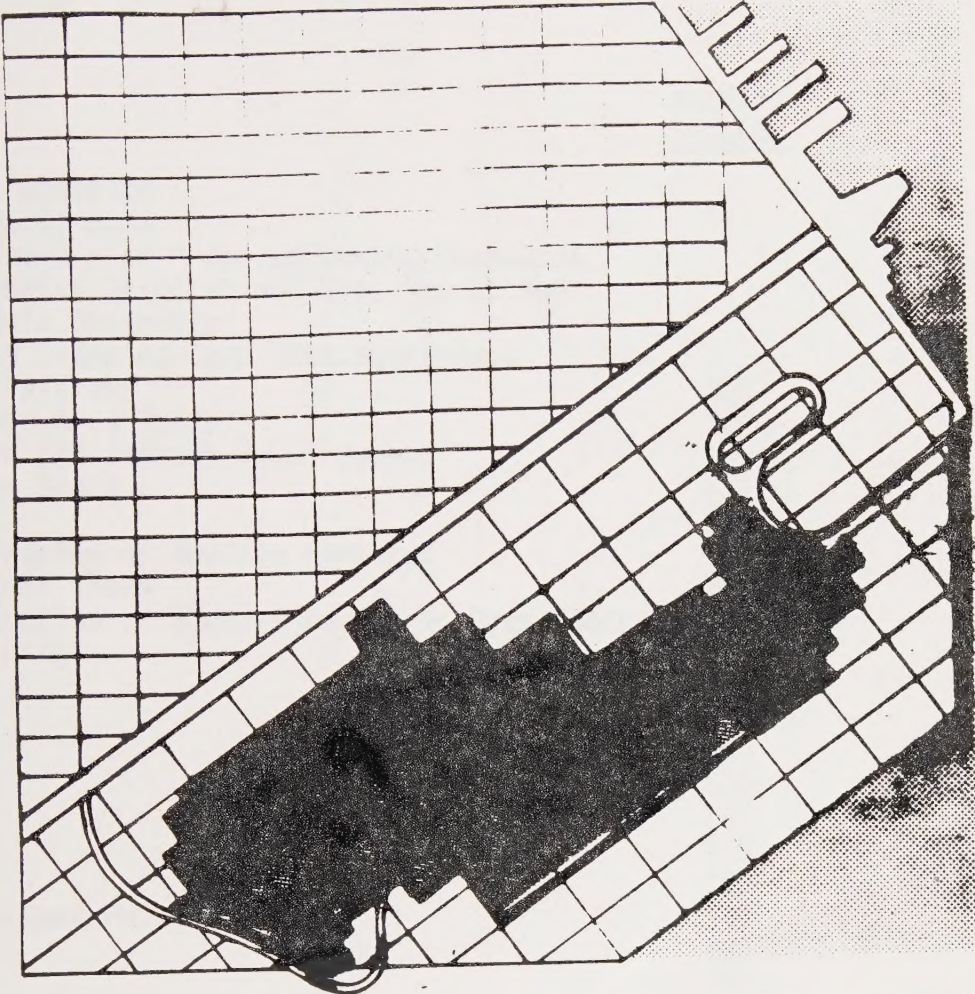


98 00195

SOUTH OF MARKET MARKET



INTERIM ZONING CONTROLS PROPOSAL FOR ADOPTION

SAN FRANCISCO DEPARTMENT OF CITY PLANNING

OCTOBER 1986

2000

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CONTENTS

	<u>Amended Section</u>	<u>Page</u>
Introduction		1
Background		1
Summary of Proposed Zoning Standards		2
Property Description; Use, Height and Bulk Districts		9
City Planning Code Text Amendments		23
Definitions	102	24
Floor Area Ratio	124	35
Yard and Setback Requirements	134	40
Open Space	135	47
	140	57
Screening of Rooftop Features	141	58
Street Trees	143	59
Reduction of Shadows on Public Open Spaces	147	60
Parking	151	61
	152	65
	153	67
	154	68
	155	69
	161	73
	163	77
	172	79
Non-Conforming Uses	180	80
	181	82
	182	85
	186	87
Classes of Use Districts	201	89
Uses Permitted by This Code	202	90
Temporary Uses	205	91
Permitted Uses - Residential Districts	209.2	93
	209.7	95
	209.8	96
	209.9	97

CONTENTS

	Amended Section	Page
<u>Permitted Uses</u> - Commercial/Industrial	210	98
	212	99
	215	101
	216	102
	217	104
	218	106
	219	107
	220	108
	221	111
	222	113
	223	114
	224	120
	225	121
	226	124
	227	128
Demolition or Conversion of Dwelling Unit	232	131
Permitted Uses - P Districts	234.1	132
Special Use Districts	246	134
	249	135
Height Limit Measurement	260	136
Height Limit Exceptions	263	142
Zoning Procedures	301	146
Conditional Uses	303	147
Zoning Administrator Administrative Review	307	150
Conditional Use Procedures	316	152
Live/Work Use Standards	102.2	24
	102.9(b)(18)	30
	102.13	33
	124	36
	135.1	52
	151	64
	155	69
	161	75
	172	79
	180	80
	181	82
	182	86
	209.9(f)	97
	227(q)	130
	263.11	142
	Please note: Section 204.4(b) remains unchanged and therefore does not appear herein.	
Zoning Map Amendments		
South of Market Base District Map	Figure 1	157
Use District Map	Figure 2	158
Height District Map	Figure 3	159

CHAPTER 10. THE BROWNIAN MOTION
10.1. The Brownian Motion
10.2. The Wiener Process
10.3. The Brownian Motion
10.4. The Brownian Motion
10.5. The Brownian Motion
10.6. The Brownian Motion
10.7. The Brownian Motion
10.8. The Brownian Motion
10.9. The Brownian Motion
10.10. The Brownian Motion
10.11. The Brownian Motion
10.12. The Brownian Motion
10.13. The Brownian Motion
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10.22. The Brownian Motion
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10.100. The Brownian Motion

INTRODUCTION

This document contains proposed amendments to the City Planning Code text and Zoning Map of the City and County of San Francisco. The amendments to the Planning Code and Map are fashioned on the goals and policies of the South of Market Plan, published as a proposal for citizens review in June 1985, and subsequently amended in part based on public comments and testimony presented at a September 1985 public hearing on the Plan before the City Planning Commission.

The revised South of Market Plan, and the Planning Code text and zoning map amendments fashioned on the Plan policies are presently undergoing environmental analysis. It is anticipated that the environmental analysis on the Plan, proposed as an Element of the City's Master Plan, and the proposed zoning controls presented herein, will be completed by October 1986 and public hearings to discuss the environmental document and the proposed legislative actions will be held in December.

BACKGROUND

In June 1985 The Department of City Planning published a Plan for the South of Market. The South of Market Plan was the result of a year long, comprehensive and thorough analysis of the physical, social, cultural and economic conditions and forces within the South of Market (SOM). The study identified both existing characteristics, problems and amenities as well as the types of development pressures and market forces that may affect the SOM over the next 20 years.

The South of Market Plan recognizes that the SOM functions quite successfully as a healthy, vibrant and stable residential and business community. This is particularly true for the area's low-income residents and location and rent-sensitive small businesses serving the City's broader resident population and downtown visitor and office industries.

The Plan recognizes the need to provide a mixture of employment opportunities, especially for San Franciscans, while maintaining and facilitating the expansion of a very important segment of the City's overall economic base -- the light industrial, home and business service industries. It is important to protect these business activities, and the types of spaces and transport systems they need, in order to maintain the City's economic diversity and to facilitate the kind of entrepreneurial spirit and inventive forces which create new technologies, new services and business opportunities which are essential to the sustained health and vitality of the city and region. The SOM is uniquely qualified to provide this creative environment because of the type of small, attractive and affordable commercial/industrial spaces available in the neighborhood and because of the rich diversity of peoples, cultures, fashion, art and business found within the SOM and the strong sense of community they share.

The Plan recognizes the need to preserve existing housing resources as the primary means of providing low and moderate-income affordable rental housing units.

INTRODUCTION

GOALS

The primary goals of the Plan are to:

- o PROTECT EXISTING ECONOMIC, SOCIAL AND CULTURAL DIVERSITY.
- o PRESERVE EXISTING HOUSING AND ENCOURAGE THE DEVELOPMENT OF NEW, AFFORDABLE HOUSING.
- o PROTECT AND FACILITATE THE EXPANSION OF INDUSTRIAL, ARTISAN, HOME AND BUSINESS SERVICE, AND NEIGHBORHOOD-SERVING RETAIL AND COMMUNITY SERVICE ACTIVITIES.
- o PRESERVE ARCHITECTURALLY AND/OR HISTORICALLY SIGNIFICANT BUILDINGS AND ENCOURAGE THEIR ADAPTIVE REUSE.
- o PRESERVE EXISTING AMENITIES AND IMPROVE NEIGHBORHOOD LIVABILITY FOR SOUTH OF MARKET RESIDENTS, WORKERS AND VISITORS.

The South of Market Interim Zoning Controls are amendments to the City Planning Code which implement the goals and policies of the South of Market Plan. The zoning controls are fashioned on the Plan policies and are being proposed as interim controls until they can be adopted by the City's legislative bodies as permanent controls sometime in spring 1987.

The proposed project is a rezoning of the South of Market area of the City generally bounded by Mission/First/Townsend and Division/Thirteenth Streets for an 18 month period during which time the South of Market Plan and Zoning Controls undergo environmental review, public hearings, and legislative action by the City Planning Commission and the Board of Supervisors.

SUMMARY OF PROPOSED ZONING STANDARDS

The proposed permanent controls place additional height, bulk, and land use restrictions on, and allow additional uses for subject properties presently classified as RH-2, RH-3, RM-2, RM-3, RC-2, RC-3, C-3-G, C-3-S, C-M, M-1, and M-2 use districts. During the 18 month period that the South of Market Interim Controls are in effect, building permit applications for properties lying within the Interim Control Districts' boundaries would be reviewed for conformity to both the existing permanent provisions of the City Planning Code as well as to the provisions of the Interim Controls, with the most restrictive standards of the two being used to review proposed projects for conformity to the City Planning Code.

The proposed controls designate seven use districts, including three newly created use districts and propose eight height and bulk districts (see Figures 2 and 3). The seven use districts are the following: RM-3 -- Medium Density Mixed Residential District; RC-2 - Moderate Density Residential - Commercial District; RC-4 - High Density Residential-Commercial District; HSL -- Housing/Service/Light Industrial District; SLI -- Service/Light Industrial District; SSO -- Service/Secondary Office District; and P -- Public District. The proposed controls designate eight height and bulk districts. The eight height and bulk districts are the following: 40-X - forty foot height limited; 50-X - fifty foot height limit; 65-B - sixty-five foot height limit; 80-K and 80-X - eighty foot height limit; 40-X/85-B - forty foot base

height limit with the ability to build up to an 85 foot height limit with conditional use authorization for construction of dwelling units and/or live/work units which would be made affordable to households whose incomes are within 150 percent of the median income as defined by Section 6932 of the California Administrative Code; 130-E-one hundred and thirty foot height limit; and O.S. which controls building heights within public park sites.

The properties lying within each of the seven proposed RM-3 districts would have the following provisions:

- 40 foot height limit.
- 1:400 (medium) residential density.
- 1 parking space per dwelling unit; only if the reduced requirement will be sufficient to serve the reasonably anticipated auto ownership by residents of and auto usage by visitors to the project.
- 25% rear yard at first level of residential use; modifiable under certain conditions.
- Office, hotels, motels, hostel, adult or nighttime entertainment, movie theaters not permitted within non-conforming use structures.
- Live/work units would be permitted within existing non-residential structures as a principal use.
- All other provisions of RM-3 Districts would apply.
- Existing structures in non-residential use would subject to the non-conforming use provisions of Sections 180 through 186 of the City Planning Code.

The properties lying within the RC-4 district would have the following provisions.

- 40 to 85 foot base height limit; with possibility to go up to 85 feet with Conditional Use authorization within a base 40 feet for construction of dwelling units or live/work units affordable to households whose incomes are no greater than 150 percent of the median income.
- 1:200 (high) residential density.
- 1.8 to 1 commercial/industrial Floor Area Ratio (1.8 times the lot area can be developed into commercial/industrial building area).
- Office, hotel, motel, hostel, adult and nighttime entertainment, movie theaters not permitted; retail, general commercial, personal, home and business services, light industrial, institutional, and cultural arts activities permitted as a principal use.
- Live/work units permitted as a principal use.
- 25% rear yard at first level of residential use; modifiable under certain conditions.
- All other provisions of RC-4 districts would apply.

The properties lying within the HSL district would have the following provisions:

INTRODUCTION

- Building height limits range from 40 to 65 feet, with most properties zoned for 50 feet.
- 2.5 to 1 commercial/industrial FAR.
- 1:200 residential density.
- 1 parking space for each dwelling unit; this provision may be modified by the ZA through administrative review.
- Retail, general commercial, home, personal and business services, light industrial, institutional, cultural arts and artisan, parking and residential activities would be permitted as a principal use; office use, hotels, motels, hostels, movie theaters, adult and nighttime entertainment activities would not be permitted.
- Live/work units would be permitted as a principal use; parking and open space standards for live/work use would be established.
- 25% rear yard at first level of residential use; may be modified by ZA through administrative review.

Properties lying within the SLI district would be subject to the same provisions as the HSL District with the exception that residential use would not be permitted and building height limits would range from 30 to 50 feet. Existing dwelling units may remain as a non-conforming use without a termination date.

Properties lying within the SSO District would be subject to the same provisions as the SLI with the following exceptions:

- Building height limits range from 40 to 130 feet.
- Properties within the 65 foot height limit and bounded by Townsend, Bluxome, and a portion of Brannan Street, Third, and Seventh Streets would be allowed a 4.0 to 1 FAR; all other properties would be subject to a 2.5 to 1 FAR limit.
- Office, service and light industrial activities would be a principal permitted use.
- Nighttime entertainment activities would be a principal permitted use.
- Hotels, motels, hostels, movie theaters, and adult entertainment would not be permitted.

Properties lying within the South Park RC-2 Use District would be subject to the provisions of the RC-2 district with the following exceptions:

- Live/work limits would be permitted as a principal use within existing commercial or industrial structures.
- Adult or nighttime entertainment, hotels, motels, hostels, and movie theaters would not be permitted; office use would be a principal permitted use.

The proposed controls exempt from the calculation of gross floor area, and therefore remove from the calculation of the Floor Area Ratio (FAR) limit, the following spaces within buildings located within the South of Market districts:

- Floor area devoted to dwelling units [see proposed Section 124(b)].
- Floor area devoted to child care facilities [see proposed Section 102.9(b)(14)].
- Floor area devoted to live/work units for arts-related activities when such floor area exceeds the basic FAR limit, provided that the unit remains in live/work occupancy and is not ever converted to wholly commercial or residential use [Sec. 102.9(b)(18)].

The proposed controls establish an open space requirement for all commercial or industrial uses and allows payment of a fee in-lieu of on-site open space, to be paid to a South of Market Open Space Fund which would be used to acquire, develop and maintain publicly-accessible open space resources within the South of Market districts (Sec. 135.2).

The proposed controls require installation of street trees within the sidewalk space on all new construction or major rehabilitation within the SOM districts (Sec. 143).

The proposed controls establish new parking requirements for dwelling units within the SOM districts, for office space for architects and engineers within the SOM districts, for arts-related production and performance spaces, for artist and artisan production and performance spaces, and for live/work units (Sec. 151). The controls would allow 100 percent compact size parking spaces for dwelling units; would allow modification of parking requirements for nighttime arts-related performance or exhibition spaces within the SOM districts; would allow modification of the parking requirement for live/work units provided within existing buildings where column spacing or lack of space make the provision of on-site parking infeasible; and would require office developments to participate in a Transportation Management Program for the SOM area (Sec. 151-163); and would allow payment of a fee in-lieu of providing required off-street parking for non-residential uses for construction of public parking garages within the SOM [Sec. 161(n)].

The proposed controls would allow building heights above 40 feet for properties lying within both the RC-4 and 40-X/85-B districts, up to a maximum 85 feet with conditional use authorization, for construction of dwelling units and/or live/work units made affordable to households whose incomes are within 150 percent of the median income as set forth in California Administrative Code Section 6932 (Sec. 263.11).

The proposed controls require buildings over 50 feet in height to be shaped so as to reduce substantial shadow impacts on public places and other similar public spaces (Sec. 147).

The proposed controls allow the Zoning Administrator to relax, modify or waive certain code provisions through an administrative review process [(Sec. 307(g))].

INTRODUCTION

The proposed ~~controls~~ allow nighttime entertainment uses such as bars, dance halls, nightclubs and cabarets as a principal permitted use within the SSO district and would allow properties elsewhere in the South of Market districts which are in such uses to remain on the premises as non-conforming uses without termination date and, further, would allow the expansion and intensification of such activities within the allowable building envelope of the property with conditional use authorization.

PROPERTY DESCRIPTION

PROPERTIES AFFECTED BY THE SOUTH OF MARKET ZONING CONTROLS LISTED BY ASSESSOR'S BLOCK AND LOT NUMBER:

ENTIRE BLOCKS: 3516, 3517, 3518, 3519, 3520, 3521, 3522, 3523, 3524, 3525, 3528, 3726, 3727, 3728, 3729, 3730, 3731, 3732, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3775, 3776, 3777, 3778, 3779, 3784, 3785, 3786, 3787, 3788; and the following partial blocks:

3509/ 2, 3, 4, 5, 7, 8, 8A, 9, 10, 11, 14, 15, 15A, 15B, 15C, 20, 21, 22, 23, 24, 25, 26, 27, 29, 31, 32, 34, 35, 41;

3510/ 6, 7, 8, 9, 10, 11, 12, 14, 15, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 34A, 35, 37, 39, 43, 44, 55, 56, 58, 60;

3511/ 6, 9, 10, 12, 13, 14, 15, 16, 17, 17A, 18, 19, 20, 21, 22, 40, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 64, 65, 66, 68, 68A, 68B, 69, 69B, 70, 71;

3703/ 4, 5, 6, 27, 28, 29;

3704/ 25, 26, 49, 50, 51, 52, 53;

3725/ 5, 6, 7, 8, 9, 12, 14, 15, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 31, 33, 35, 60, 61, 62, 63, 64, 79, 81, 98;

3526/ 1, 17, 19B;

3733/ 14, 16, 17, 18, 19, 20, 20A, 21, 22, 24, 25, 26, 28, 29, 30, 31, 34, 91, 92;

3749/ 52, 62;

3750/ 2, 3, 8, 73;

3752/ 12, 14, 15, 17, 18, 19, 23, 24, 26, 27, 28, 32, 33, 36, 46, 51, 52, 53, 54, 57, 58, 70, 72, 76, 78, 79, 80, 81, 83, 89, 89A, 90, 91, 92, 93, 94, 95, 100, 101, 102, 103, 104, 105, 107;

3763/ 1, 6, 7, 8, 9, 11, 12, 13, 14, 15, 15A, 15B, 15C, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 32, 33, 34, 36, 37, 105, 112, 113;

3764/ 14, 58, 67, 68, 69, 70;

3774/ 4, 5, 6, 7, 8, 12, 13, 15, 25, 26, 27, 31, 44, 45, 48, 63, 64, 65, 66, 67, 68, 69;

3780/ 1, 2, 4C, 44, 63, 64, 65, 66, 69, 70; and

3789/ 4, 5, 7, 8, 9.

EXHIBIT A--South of Market Interim Zoning Controls Ordinance: File No. 85.237ETZ

File _____

Ordinance _____

(South of Market Use, Height and Bulk Districts)

ADOPTING CHANGES IN PROPERTY USE AND HEIGHT AND BULK CLASSIFICATION BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR THE AREA GENERALLY BOUNDED BY MISSION STREET, DUBOCE AVENUE/ THIRTEENTH STREET, TOWNSEND STREET AND FIRST STREET, EXCLUDING THE AREA OF YERBA BUENA CENTER, TO RECLASSIFY PORTIONS OF THE PROPERTY THEREIN FROM RH-2, RH-3, RM-2, RC-2 RC-3, C-3-G, C-3-S, C-M, M-1 AND M-2 TO EITHER RM-3, RC-4, P, HOUSING/SERVICE/LIGHT INDUSTRIAL (HSL), SERVICE/LIGHT INDUSTRIAL (SLI) OR SERVICE/SECONDARY OFFICE (SSO) DISTRICTS AND TO RECLASSIFY HEIGHT AND BULK DISTRICTS WITHIN THE SAME AREA FROM 40-X, 50-X, 80-E, 80-K, 88-K, 90-X, 105-F, 105-J, 105-K, 120-F, 130-F, 130-G, 130-L, 150-S, 160-F, 160-M and 180-S TO EITHER O.S., 40-X, 50-X, 65-B, 80-X, 40-X/85-B or 130-E.

Note: Where lot numbers are shown separated by a hyphen, the reference includes the first-numbered, last-numbered, and all intermediate numbered lots. Lots split between use districts, lots lying partially within and partially outside a special use district and lots split between height and bulk districts are marked with an asterisk (*). These lots are listed and the zoning of each portion is indicated in Exhibits A and B in Board of Supervisors file _____.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The following changes in property use classification from RC-3, C-3-G, C-3-S and M-1 to RC-4 are hereby adopted as amendments to Section Map 1 of the Zoning Map of the City and County of San Francisco.

PROPERTY DESCRIPTION

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots</u>		
3703/4-6, 27-29; 3704/25, 26, 49-53; 3725/5-9, 12, 14, 15, 17-21, 23-27, 29, 31, 33, 35, 60-64, 79, 81, 98; 726/1-11; 3731/1, 2*, 3, 4*; 3732/3-5, 8, 9, 18, 23-26, 28, 29-33, 35-37, 40, 44, 45, 48, 62, 64, 66-68, 70, 71*, 73, 74, 76, 78, 100*, 101-102, 103*, 106-108, 109*, 110*, 111*, 112*, 114*, 116*, 119*, 122-127, 129, 130, 137-139, 140*, 143, 145A, 146, 147, 149-152; 3733/14, 16-20, 20A, 21, 22, 24, 25, 26, 28, 29-31, 34, 91, 92; 3752/14, 15, 17-19, 23, 24, 26-28, 32, 33, 36, 46, 52-54, 57-58, 70, 72, 76, 78, 79, 80, 81, 83, 89, 89A, 90, 91, 92, 93, 94, 95, 100-105, 107; 3753/1, 3-5, 6A, 7-10, 20-22, 24-29, 33-38, 41, 42, 44, 46-49, 56-64, 66, 70-79, 81-85, 87, 89, 90, 93-101, 105, 106, 113, 114, 115-119, 120, 121, 122, 129-132, 134, 138-142, 145-150.	RC-3, C-3-G, C-3-S, M-1.	RC-4

*See Exhibit A in Board of Supervisors file _____.

Section 2. The following changes in property use classification from RH-2, RH-3, RM-2, C-3-S, C-M and M-1 to RM-3 are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco.

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:-</u>		
3511/40, 42-44, 57-62, 64-66, 68, 68A, 68B, 69, 69A, 70, 71; 3726/26*, 36, 37, 37A, 38-47, 50-55, 57, 57A, 58-65, 67-80, 87-98; 3727/14*, 15*, 27-36, 38-41, 43-54, 56-60, 64, 65, 65A, 66, 67, 70, 72, 72A, 72C, 73-78, 83-86, 136; 3730/40A, 41-46, 53-58, 63-69, 84-87, 93-104; 3731/31*, 35*, 37*, 40*, 44, 46, 52-54, 54A, 55, 58, 60-62, 62A, 63, 66-70, 76-84,	RH-2, RH-3, RM-2, C-3-S, C-M, M-1.	RM-3

<u>Description of Property (con't)</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots</u>		
3731/86-89, 91-93, 102-105, 109, 110, 119, 124; 3732/71*, 79-85, 87-90, 90A, 91, 92, 94-97, 99, 100*, 101, 102, 103*, 106-108, 109*, 110*, 111*, 112*, 114*, 115, 116*, 117, 118, 119*, 140*; 3755/89-93, 96, 102-105, 105A, 105B, 105C, 106-113, 135.	RH-2, RH-3, RM-2, C-3-S, C-M, M-1.	RM-3

*See Exhibit A in Board of Supervisors file _____.

Section 3. The following changes in property use classification from RC-2, M-1 and M-2 to SSO are hereby adopted as amendments to Section Map 1 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
3749/62; 3750/2, 3, 8, 73; 3763/1, 6-9, 11-15, 15A, 15B, 15C, 16-25, 32-34, 36, 37, 105, 113; 3764/61, 70; 3774/4-8, 12, 13, 15, 25-27, 31, 44, 45, 48, 63-65, 67-69; 3775/1, 2, 4, 5, 7, 8, 12, 15-18, 20-23, 25, 71-73, 75, 77-81, 83-87, 89, 91-97, 99-101; 3784/7, 8, 80, 85-88; entire Block 8785; entire Block 3786 excluding 3786/39; entire Block 3787; entire Block 3788; 3789/4, 5, 7-9.	RC-2, M-1, M-2.	SSO

PROPERTY DESCRIPTION

Section 4. The following changes in property use classification from RH-3, RM-2, RC-2, C-3-S, C-M, M-1 and M-2 to SLI are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
3521/10*, 11*, 12*, 13*; 3523/1*, 8, 12*, 13; 3524/18, 24, 32, 63, 64, 65, 3525/1, 2, 6*, 8*, 10*, 12*, 20, 21, 27, 31-35, 39, 43, 46, 47, 50, 51, 54-57, 59, 60, 63, 65, 67-72, 74, 74A, 75-79, 80, 81, 82, 83-85, 86, 87; 3526/19B; 3528/1, 7, 8; 3757/1, 2, 2A, 5, 7-11, 24, 26-30, 32, 32A, 33, 34A, 35, 37, 38, 45, 46, 49, 53, 54, 62*, 63-66; 3758/44-47, 121, 127, 128, 131; 3759/1, 2, 9-12, 14, 43, 45; 3760/1, 2, 11-17, 19-22, 24-26, 26A, 27, 28, 35, 55, 59, 71, 81, 83, 100, 105-108, 111 112, 119, 121-123, 125-131; 3761/2, 5C, 6, 7, 64; 3762/1, 3, 7-9, 11, 12, 14, 16-19, 21, 23-26, 32, 36, 37, 40, 41, 43, 46, 48-50, 53-55, 58, 106, 108, 109, 112, 113, 116-119, 121-124; entire Block 3776; entire Block 3777 excluding 3777/52; entire Block 3778; entire Block 3779; 3780/1, 2, 4C, 7C, 8, 23, 28, 30, 32-34, 44, 63-66, 69, 70; 3781/1A, 1C, 8, 10; 3784/10, 13-15, 17, 18, 22, 23, 23A, 24, 25, 27, 31, 32, 35, 40, 41, 44, 47A, 49, 50, 52, 54, 71, 72, 76, 77, 82, 89-91.	RH-3, RM-2, RC-2, C-3-S, C-M, M-1, M-2.	SLI

*See Exhibit A in Board of Supervisors file _____.

Section 5. The following changes in property use classification from RH-3, RM-2, RC-3, C-3-S, C-M, M-1 and M-2 to HSL are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco:

PROPERTY DESCRIPTION

Description of Property Assessor's Block/Lots:

3509/2-5, 7, 8, 8A, 9, 10, 11, 14, 15, 15A, 15B, 15C, 20-27, 29, 31, 32, 34, 35, 41; 3510/6-12, 14, 15, 18-21, 23-32, 34, 34A, 35, 37, 39, 43, 44, 55, 56, 58; 3511/6, 9, 10, 12-17, 17A, 18-22, 46-56; entire Block 3516; 3517/13, 14, 15*, 16, 20-28, 28A, 29-38; 3518/1-18, 20, 22-24, 24A, 29, 32, 33, 35-39; 3519/1, 3*, 4-6, 9, 10, 12-17, 19-21, 23-26, 30-35, 35A, 36-45, 46, 50-54, 56-60, 62, 63-65; 3520/1, 2, 4, 5, 9-13, 19, 21, 23-26, 27*, 28, 28A, 28B, 30, 30A*, 30B*, 30C, 31*, 37-39, 43, 44, 47, 50; 3521/1-5, 7-9, 10*, 11*, 12*, 13*, 19, 22, 25-27, 30-35, 49, 50-53, 53A, 54-56; entire Block 3522; 3726/12, 13, 15, 17-22, 24, 25, 26* 27-35, 100, 101, 103, 105-114, 117; 3727/1, 2, 4-10, 12, 14*, 15*, 16, 18, 19, 21, 22, 24, 26, 61-63, 89, 91, 94-98, 101-103, 108, 109, 113, 114, 117, 118, 120, 125, 130, 134, 135; entire Block 3728, 3729/1-5, 6*, 8-11, 14, 15-18, 20, 22, 23, 24, 27-53, 53A, 54, 55-60, 60A, 61-63, 65-67, 69, 70, 72, 73, 74, 75, 76, 78-83, 86-90; 3730/1-4, 6-10, 11, 13, 14, 15, 18, 19, 20*, 23*, 24*, 25*, 26, 27*, 28, 29-32, 34-40, 48, 49, 51, 59-61, 70, 72, 75, 77, 78, 80, 82, 88-90, 105, 106, 108, 109, 111, 117-120; 3731/2*, 4*, 15, 18, 19, 20, 21, 23, 24, 26, 27, 30, 31*, 35*, 37*, 40*, 41, 42, 43, 71-74, 94, 95, 99, 101, 113, 115, 116, 117, 122, 125; 3754/1-3, 5-8, 15, 17, 18, 26-31, 34, 38, 39, 40, 41, 42, 43, 45, 46, 48, 49, 57* 58*, 59, ~~62-67~~; 3755/3-5, 10, 12-19, 21-24, 27, ~~29~~, 33, 34, 41, 44, 49, 50, 52-54, 56*, 65-68, 71-74, 75*, 76*, 77, 78, 79*, 80, 81, 83-88, 97-101, 117, 130-132, 134, 136, 137; 3756/1-6, 8-11, 15, 19-23, 24*, 25-28, 30, 31, 32-34, 36*, 37*, 38, 39, 41*, 42-47.

Use Districts to be Superseded

Use District to be Approved

RH-3, RM-2, RC-3,
C-3-G, C-3-S, C-M,
M-1, M-2.

HSL

PROPERTY DESCRIPTION

Section 7. The following changes in height and bulk districts to a 40-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
3775 except 103;	50-X,	40-X
3511/ 40, 42-44, 57-62, 64-66, 68, 68A, 68B,	80-E,	
69, 69A, 70, 71;	88-K,	
3726/ 26*, 36, 37, 37A, 38-47, 50-55, 57,	120-F,	
57A, 58-65, 67-80, 87-98;	130-F,	
3727/ 14*, 15*, 27-36, 38-41, 43-54, 56-60,	130-L,	
64, 65, 65A, 66, 67, 70, 72, 72A,	160-M,	
72C, 73-78, 83-86, 136;		
3730/ 40A, 41-46, 53-58, 63-69,		
84-8793-104;		
3731/ 3, 4, 18, 19, 20, 21, 23, 24,		
26, 27, 31*, 35*, 37*, 40*,		
44, 46, 52-54, 54A, 55, 58,		
60-62, 62A, 63, 66-70, 76-84,		
86-89, 91-93, 119, 124,		
102-105, 109, 110, 124, 113;		
3732/ 30-33, 71*, 74, 76, 78-85,		
87-90, 90A, 91, 92, 94-97, 99,		
100*, 101, 102, 103*, 106,		
107, 108, 109*, 110*, 111*,		
112*, 114*, 115, 116*, 117,		
118, 119*, 140*;		
3753/ 122;		
3754/ 1, 2, 15, 16, 40-43, 45, 46,		
48, 49, 57, 58, 59, 64;		
3755/ 27, 29, 33, 34, 41, 44, 49,		
50, 52-54, 56*, 65, 66, 33,		
34, 89-93, 96, 102-105, 105A,		
105B, 105C, 106-112, 135, 136,		
137;		
3756/ 2-6, 8-11, 15, 19-23, 24*,		
25-28 30-32, 36*, 37*, 41*;		

*See Exhibit B in Board of Supervisors file _____.

Section 8. The following changes height and bulk districts to a 50-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
3516; 3521; 3522; 3523;	40-X,	50-X
3776; 3777; 3778; 3779; 3788;	80-E,	
3509/ 2-8, 8A, 9-11, 14, 15, 15A, 15B, 15C,	80-K,	
20-27, 29, 31, 32, 34, 35, 41;	88-K,	
3510/ 6-12, 14, 15, 18-21, 23-32, 34, 34A,	105-F,	
35, 37, 39, 43, 44, 55, 56, 58, 60;	105-J,	
3511/ 6, 9, 10, 12-17, 17A, 18-22, 46-56;	120-F,	
3517/ 14-16, 20-28, 28A, 29-38;	130-G,	
3518/ 1-15, 16, 17, 18, 20, 22-24, 24A,	130-L,	
29, 32, 33, 35-39;	160-M,	
3519/ 1, 3-6, 9, 10, 12-17, 19, 20,		
21, 23-26, 30-35, 35A, 36, 37,		
38-45, 50-54, 56-60, 62-65;		
3520/ 2, 4, 5, 9-13, 16, 19-21,		
23-28, 28A, 28B, 29, 30, 30A,		
30B, 30C, 31, 37-39, 43, 44,		
47, 50;		
3726/ 12, 13, 15, 17-22, 24, 25,		
26*, 27-31, 33-35, 114, 117;		
3727/ 2, 4, 5, 6, 8, 9, 10, 12, 14*,		
15*, 16, 18, 19, 21, 22, 24,		
26, 61-63;		
3728/ 5-9, 11, 13, 14, 16-19, 24-29,		
32, 34-62, 86-88;		
3729/ 1-5, 6, 8-10, 11, 13-18, 20,		
22-24, 27-53, 53A, 54-60, 60A,		
61-63, 65-67, 69, 70, 72-76,		
78-83, 86-90;		

PROPERTY DESCRIPTION

<u>Description of Property</u>		<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots: (continued)</u>			
3730/	2, 3, 4, 6-11, 13-15, 18, 19, 20, 23, 24, 25, 26, 27, 28-32, 34-37, 38, 39, 40, 48, 49, 51, 59-61, 70, 72, 75, 77, 78, 80, 82, 88-90, 105, 106, 108, 109, 111, 117, 118, 119, 120;	40-X, 88-K, 105-F, 105-K, 130-L, 160-M.	50-X
3731/1	1, 2, 15, 31*, 33, 35*, 37*, 40*, 41, 43, 71-74, 94, 95, 99, 101, 115-117, 122, 125;		
3759/	41, 42;		
3764/	14, 58, 61, 67-70;		
3774/	4-8, 12, 13, 15, 25-27, 31, 44, 45, 48, 63, 64, 65, 67, 68, 69;		
3787/	1-5, 7, 29, 31-33, 36, 37, 39, 48, 49;		
3789/	4, 5, 7-9.		

*See Exhibit B in Board of Supervisors file _____

Section 9. The following changes in height and bulk districts to a 65-B height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>		<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots:</u>			
3726/	100, 101, 103, 105-113;	50-X,	65-B
3727/	1, 89, 91, 94-98, 101-103, 108, 109, 113, 114, 117, 118, 120, 125, 130, 134, 135;	90-X, 105-F, 120-F,	
3728/	1, 2, 68, 69 , 72, 74-76, 81-83, 89;	150-S,	
3784/	7, 8, 79, 80 , 85-88;	160-M, 180-S.	
3785/	2, 2A, 3, 4, 4A, 48, 5, 7, 22-24;		
3786/	8, 9, 13, 14, 14B, 15-19, 19A, 20, 37;		
3787/	8-19, 21-23, 26-28, 40, 40A, 44, 46, 50-52.		

PROPERTY DESCRIPTION

Section 10. The following changes in height and bulk districts to a 80-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	<u>Height and</u> <u>Bulk Districts</u> <u>to be</u> <u>Superseded</u>	<u>Height and</u> <u>Bulk District</u> <u>to be</u> <u>Approved</u>
3703/ 4-6, 27-29;	50-X,	80-X
3704/ 25, 26, 49-53,	80-E,	
3725/ 25, 26, 60-64, 79, 81;	120-F,	
3726/ 1-4, 5-11;	160-F.	
3732/ 122-124.		

Section 11. The following changes in height and bulk districts to a 40-X/85-B height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	<u>Height and</u> <u>Bulk Districts</u> <u>to be</u> <u>Superseded</u>	<u>Height and</u> <u>Bulk District</u> <u>to be</u> <u>Approved</u>
3725/ 5-9, 12, 14, 15, 17, 18, 19, 20,	50-X,	40-X/85-B
21, 23, 24, 27, 29, 31, 33, 35, 98;	80-E,	
3732/ 3-5, 8, 9, 18, 23-26, 28, 29, 35-37,	88-K,	
40, 44, 45, 48, 62, 64, 66-68, 70,	130-F,	
71*, 73, 100*, 103*, 109*, 110*, 111*,	130-L,	
112*, 114*, 116*, 119*, 125, 126,		
127, 129, 130, 137-139, 140*, 143,		
145A, 146, 147, 149, 150-152;		
3733/ 14, 16, 17-20, 20A, 21, 22, 24-26,		
28-31, 34, 91, 92;		
3752/ 12, 14, 15, 17, 18, 19, 23, 24,		
26-28, 32, 33, 36, 46, 51-54, 57,		
58, 70, 72, 76, 78-81, 83, 89, 89A,		
90-94, 95, 100-105, 107;		
3753/ entire Block , except Lot 122.		

*See Exhibit B in Board of Supervisors file _____.

PROPERTY DESCRIPTION

Section 12. The following changes in height and bulk districts to a 130-E height and bulk district are hereby adopted as an amendment to the zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots</u>	<u>Height and Bulk</u> <u>District to be</u> <u>Superseded</u>	<u>Height and Bulk</u> <u>District to be</u> <u>Approved</u>
Assessor's Block/Lots: 3749/ 52,62; 3750/ 2,3.	105-F, 130-G.	130-E

Section 13. The following changes in height and bulk districts to an OS height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots</u>	<u>Height and Bulk</u> <u>District to be</u> <u>Superseded</u>	<u>Height and Bulk</u> <u>District to be</u> <u>Approved</u>
3730/ 91; 3731/ 10, 11, 12, 111.	50-X, 130-L.	OS

PROPERTY DESCRIPTION

EXHIBIT B

SPLIT LOTS IN SOUTH OF MARKET HEIGHT AND BULK DISTRICTS (LOT DIMENSIONS ARE LISTED IN FEET)

BLOCK	LOT	HEIGHT AND BULK DISTRICT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN HEIGHT AND BULK DISTRICT
3726	26	50-X	HOWARD	50.417	90
3726	26	40-X	NATOMA	50.417	75
3727	14	50-X	HOWARD	50	90
3727	14	40-X	NATOMA	50	75
3727	15	40-X	NATOMA	25	75
3727	15	50-X	HOWARD	25	90
3731	31	50-X	7TH	75	80
3731	31	40-X	MOSS	25	80
3731	35	40-X	MOSS	24	80
3731	35	50-X	7TH	48	80
3731	37	40-X	MOSS	100	75
3731	37	50-X	7TH	125	90
3731	40	40-X	MOSS	25	75
3731	40	50-X	7TH	25	90
3732	71	40-X	TEHAMA	50	80
3732	71	40-X/85-B	CLEMENTINA	45	S70/N75
3732	100	40-X	TEHAMA	53	75
3732	100	40-X/85-B	HOWARD	41.667	80
3732	103	40-X/85-B	HOWARD	50	80
3732	103	40-X	TEHAMA	25	75
3732	109	40-X	TEHAMA	25	75
3732	109	40-X/85-B	HOWARD	25	80
3732	110	40-X	TEHAMA	75	75
3732	110	40-X/85-B	HOWARD	50	80
3732	111	40-X	TEHAMA	50	75
3732	111	40-X/85-B	HOWARD	25	80
3732	112	40-X	TEHAMA	25	75
3732	112	40-X/85-B	HOWARD	37.5	80
3732	114	40-X	TEHAMA	25	75
3732	114	40-X/85-B	HOWARD	37.5	80
3732	116	40-X	TEHAMA	25	75
3732	116	40-X/85-B	HOWARD	25	80

PROPERTY DESCRIPTION

EXHIBIT B (Cont.)

SPLIT LOTS IN SOUTH OF MARKET HEIGHT AND BULK DISTRICTS
 (LOT DIMENSIONS ARE LISTED IN FEET)

BLOCK	LOT	HEIGHT AND BULK DISTRICT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN HEIGHT AND BULK DISTRICT
3732	119	40-X	TEHAMA	75	75
3732	119	40-X/85-B	HOWARD	50	80
3732	140	40-X	TEHAMA	25	75
3732	140	40-X/85-B	HOWARD	25	80
3755	56	50-X	FOLSOM	107.5	90
3755	56	40-X	ROGERS	135	182.5

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By


 Deputy City Attorney

TEXT AMENDMENTS

File _____

Ordinance _____

(South of Market Rezoning and Planning Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102.2, 102.5, 102.9, 102.13 AND 102.17, AND RENUMBERING SECTIONS 102.2 THROUGH 102.25, INCLUDING ADDING SECTIONS 102.26, 102.27 AND 102.28; ADDING SECTIONS 135.1, 135.2, 205.3, 210.7, 210.8, 210.9, 232, 263.11, 316, 316.1, 316.2, 316.3, 316.4, 316.5, 316.6, AND 316.7; DELETING SECTIONS 246 AND 249; AND AMENDING SECTIONS 124, 134, 135, 140, 141, 143, 147, 151, 152, 152.5, 153, 154, 155, 161, 163, 172, 180, 181, 182, 186, 201, 202, 205, 209.2, 209.7, 209.8, 209.9, 210, 212, 215, 216, 217, 218, 218.1, 219, 220, 221, 222, 223, 224, 225, 226, 227, 234.1, 260, 301, 303, 306.2 AND 307, TO CREATE NEW ZONING DISTRICTS CALLED THE HOUSING/SERVICE/LIGHT INDUSTRIAL DISTRICT, THE SERVICE/LIGHT INDUSTRIAL DISTRICT, AND THE SERVICE/SECONDARY OFFICE DISTRICT AND A SOUTH OF MARKET BASE DISTRICT; SET FORTH THE PERMITTED, CONDITIONAL AND PROHIBITED USES AND OTHER LIMITS AND REQUIREMENTS IN SOUTH OF MARKET DISTRICTS; CREATE NEW CATEGORIES OF USES CALLED LIVE/WORK UNITS, ARTS-RELATED ACTIVITIES AND NIGHTTIME ENTERTAINMENT USES; ESTABLISH OPEN SPACE, PARKING, REAR YARD, FREIGHT LOADING AND OTHER STANDARDS, WITH EXCEPTIONS, FOR LIVE/WORK UNITS IN SOUTH OF MARKET DISTRICTS; EXEMPT CERTAIN LIVE/WORK UNITS, CHILD CARE FACILITIES AND CULTURAL FACILITIES FROM FLOOR AREA LIMITS IN SOUTH OF MARKET DISTRICTS AND PROVIDE RELATED, ADDITIONAL ENFORCEMENT PROVISIONS; ESTABLISH NEW COMMERCIAL OPEN SPACE REQUIREMENTS IN SOUTH-OF-MARKET DISTRICTS; ALLOW A GREATER HEIGHT LIMIT, SUBJECT TO CONDITIONS, FOR AFFORDABLE HOUSING IN ONE SOUTH OF MARKET SUB-DISTRICT; ESTABLISH PROCEDURES FOR ADMINISTRATIVE REVIEW AND MODIFICATION OF CERTAIN REQUIREMENTS BY THE ZONING ADMINISTRATOR; REDUCE PARKING REQUIREMENTS FOR ARTS-RELATED SPACES; REQUIRE TRANSPORTATION PROGRAMS FOR OFFICE USES IN SOUTH OF MARKET DISTRICTS; MODIFY CERTAIN NONCONFORMING USE PROVISIONS WITH RESPECT TO LIVE/WORK UNITS AND OTHER SPECIFIED USES IN SOUTH OF MARKET DISTRICTS; ALLOW ADDITIONAL TEMPORARY USES IN SOUTH OF MARKET DISTRICTS; AND TO ELIMINATE EXISTING SOUTH OF MARKET AND MID-MARKET SPECIAL USE DISTRICTS.

NOTE: Additions are underlined, deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1 Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102.2, 102.5, 102.9, 102.13 and 102.17, and renumbering Sections 102.2 through 102.25, including adding Sections 102.26, 102.27 and 102.28; adding Sections 135.1, 135.2, 205.3, 210.7, 210.8, 210.9, 232, 246.1, 246.2, and 263.11; and amending Sections 121, 124, 134, 135, 140, 141, 143, 147, 148, 151, 152, 152.5, 153, 154, 155, 161, 163, 172, 176, 180, 181, 182, 186, 201, 202, 205, 209.2, 209.7, 209.8, 209.9, 210, 212, 215, 216, 217, 218, 218.1, 219, 220, 221, 222, 223, 224, 225, 226, 227, 234.1, 234.2, 260, 301, 303, 306.2 and 307, as follows:

SEC. 102.2 ARTS-RELATED ACTIVITIES AND SPACES.

Arts-related activities shall mean dance; music; live dramatic art; theater rehearsal activities; film, video and audio rehearsal, recording, production, post-production, and performance activities; painting, drawing, sculpture and other visual arts production and exhibition; and schools of the arts including dance, video, film, acting, music, writing and the visual arts. Arts-related spaces shall include studios, workshops, galleries, museums, archives and libraries, theaters, and other similar spaces customarily used principally for arts-related activities, exclusive of movie theaters, dance halls and premises where liquor is customarily served during performances.

SEC. 102.((2))3. BUILDING.

Any structure having a roof supported by columns or walls.

SEC. 102.((3))4. COURT.

Any space on a lot other than a yard which, from a point not more than two feet above the floor line of the lowest story in the building on the lot in which there are windows from rooms abutting and served by the court, is open and unobstructed to the sky, except for obstructions permitted by this Code. An "Outer Court" is a court, one entire side or end of which is bounded by a front set-back, a rear yard, a side yard, a front lot line, a street, or an alley. An "Inner Court" is any court which is not an outer court.

SEC. 102.((4))5. DISTRICT.

A portion of the territory of the city, as shown on the Zoning Map within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RC-1, RC-2, RC-3, or RC-4 district. The term "C district" shall mean any C-1, C-2, C-3, or C-M district. The term "M district" shall mean any M-1 or M-2 district. The term "RH district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 district. The term "RM district" shall mean any RM-1, RM-2, RM-3, or RM-4 district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C-3 district" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S district. The term "South of Market districts" shall refer to all districts contained entirely within the area designated as the South-of-Market Base District on Sectional Map 3SU of the Zoning Map. The term "South of Market R districts" shall refer to those South of Market districts which are R districts.

SEC. 102.((5))6. DWELLING.

A building, or portion thereof, containing one or more dwelling units. A "One-Family Dwelling" is a building containing exclusively a single dwelling unit. A "Two-Family Dwelling" is a building containing exclusively two dwelling units. A "Three-Family Dwelling" is a building containing exclusively three dwelling units.

SEC. 102.((6))7. DWELLING UNIT.

A room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen. A housekeeping room as defined in the Housing Code shall be a dwelling unit for purposes of this Code.

SEC. 102.((7))8. FAMILY.

A single and separate living unit, consisting of either:

- (a) One person, or two or more persons related by blood, marriage or adoption or by legal guardianship pursuant to court order; plus necessary domestic servants and not more than three roomers or boarders; or
- (b) A group of not more than five persons unrelated by blood, marriage or adoption or such legal guardianship.

A group occupying group housing, or a hotel, motel or any other building or portion thereof other than a dwelling, shall not be deemed to be a family.

SEC. 102.((8))9. FLOOR AREA, GROSS.

In districts other than C-3, the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the center lines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

In C-3 Districts, the sum of the gross areas of the several floors of a building or buildings, measured along the glass line at windows at a height of 4 feet above the finished floor and along a projected straight line parallel to the overall building wall plane connecting the ends of individual windows; provided, however, that such line shall not be inward of the interior face of the wall.

(a) Except as specifically excluded in this definition, Gross floor area shall include, although not be limited to, the following:

1. Basement and cellar space, including tenants' storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;
2. Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;
3. Floor space in penthouses except as specifically excluded in this definition;
- ~~4.~~ Attic space (whether or not a floor has been laid) capable of being made into habitable space;
5. Floor space in balconies or mezzanines in the interior of the building;
6. Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;

7. Floor space in accessory buildings, except for floor spaces used for accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and driveways and maneuvering areas incidental thereto; and
8. Any other floor space not specifically excluded in this definition.

(b) Gross floor area shall not include the following:

1. Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;
2. Attic space not capable of being made into habitable space;
3. Elevator or stair penthouses, accessory water tanks, or cooling towers; and other mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;
4. Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself (i) if located at an intermediate story of the building and forming a complete floor level; or (ii) in C-3 districts, if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and in aggregate area do not exceed the area of an average floor as determined by the Zoning Administrator;
5. Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;
6. Floor space used for accessory off-street parking and loading spaces as described in Section 204.5 of this Code and driveways and maneuvering areas incidental thereto;
7. Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;

8. Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:

- (A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).
- (B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) in addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.
- (C) If, however, 70 percent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court whose dimensions satisfy the requirements of this Code and all other applicable codes for instances in which required windows face upon such a yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

9. On lower, nonresidential floors, elevator shafts and other life support systems serving exclusively the residential uses on the upper floors of a building;

10. One-third of that portion of a window bay conforming to the requirements of Section 136(d)2 which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed 7 square feet per bay window as measured at each floor;
11. Ground floor area in the C-3-0, C-3-0(SD), C-3-S, and C-3-G districts devoted to building or pedestrian circulation and building service;
12. In the C-3-0, C-3-0(SD), C-3-S, and C-3-G districts, space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75% of the area of the ground floor of the building plus the ground level, on-site open space. Said uses shall be located on the ground floor, except that, in order to facilitate the creation of more spacious ground floor interior spaces, a portion of the said uses, in an amount to be determined pursuant to the provisions of Section 309, may be located on a mezzanine level;
13. An interior space provided as an open space feature in accordance with the requirements of Section 138;
14. Floor area in C-3 and South of Market districts devoted to child care facilities provided that:
 - (A) Allowable indoor space is no more or no less than 3,000 square feet and no more than 6,000 square feet, and
 - (B) The facilities are made available rent free; and
 - (C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities; and
 - (D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the City Planning Commission that there is a lack of need for child care and that the space will be used for a facility described in subsection 15 below dealing with cultural, educational, recreational, religious, or social service facilities;

15. Floor area in C-3 and South of Market districts permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:

(A) Owned and operated by a nonprofit corporation or institution, or

(B) Are made available rent free for occupancy only by nonprofit corporations or institutions for such functions; and

16. In C-3 districts, floor space used for short-term parking and aisles incidental thereto when required pursuant to Section 309 in order to replace short-term parking spaces displaced by the building or buildings.

17. In South of Market RC, HSL, SLI and SSO districts, live/work units and any occupied floor area devoted to open space, parking, mechanical appurtenances or equipment or other floor area accessory to live/work use, provided that (A) non-residential use within each live/work unit shall be limited to arts-related activities as defined in Section 102.2 of this Code; and (B) there shall be one off-street parking space provided for each live/work unit; and (C) that, considering all dwelling units that may also exist or be constructed on the lot, there shall be no more than one live/work unit and/or a dwelling unit per 200 square feet of lot area; and (D) there are assurances satisfactory to the Zoning Administrator and all other permit approving authorities that the unit shall remain in live/work occupancy for not less than 20 years, including, but not limited to: (i) specific designation on the approved plans for the structure of each area committed to live/work space subject to this provision, and (ii) before approval of any demolition, site or building permit for the project, recordation of a special restriction on the property in a form satisfactory to the Zoning Administrator to assure conformance to these provisions by the owner and tenants of the property, any subsequent owner or tenant of the property, and any other person with an economic interest in the property. If, at any time within the 20 year period, the designated space is not occupied by a permitted live/work pursuant to this subsection, the space shall be physically secured, made safe and remain vacant and unused until such time as the space is occupied by a use permitted by this subsection. The

owner of any property on which additional gross floor area is constructed in reliance on this subsection, and all successor owners during the 20-year period specified in this subsection, shall report annually to the Zoning Administrator, listing each live/work unit on the lot in question, the name of the tenant or tenants, and the non-residential use(s) conducted in each unit. At the time of each report, the owner shall certify to the Zoning Administrator under penalty of perjury that the information included is true and correct to the best of his knowledge and that each tenant has been notified of the information furnished with respect to that tenant's unit. Such reports shall be made during each calendar year, beginning in the year after a site or building permit is approved in reliance on this subsection, between June 1 and June 30. Live/work units within the South of Market districts which are counted against the maximum floor area ratio for the district are not subject to the provisions of this subsection, except that all such units provided above the 40 foot height limit in the 40-X/85-B height and bulk district shall be subject to Section 263.11(c)(4).

SEC. 102.((9))10. FLOOR AREA, OCCUPIED.

Floor area devoted to, or capable of being devoted to, a principal or conditional use and its accessory uses. For purposes of computation, occupied floor area shall consist of the gross floor area, as defined in this Code, minus the following:

- (a) Non-accessory parking and loading spaces and driveways and maneuvering areas incidental thereto;
- (b) Exterior walls of the building;
- (c) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself, wherever located in the building;
- (d) Rest rooms, and space for storage and services necessary to the operation and maintenance of the building itself, wherever located in the building;
- (e) ~~Space~~ in a retail store for store management, show windows and dressing rooms, and for incidental repairs, processing, packaging and stockroom storage of merchandise for sale on the premises; and
- (f) Incidental storage space for the convenience of tenants.

SEC. 102.((10))11. FLOOR AREA RATIO.

The ratio of the gross floor area of all the buildings on a lot to the area of the lot. In cases in which portions of the gross floor area of a building project horizontally beyond the lot lines, all such projecting gross floor area shall also be included in determining the floor area ratio.

If the height per story of a building, when all the stories are added together, exceeds an average of 15 feet, then additional gross floor area shall be counted in determining the floor area ratio of the building, equal to the gross floor area of one additional story for each 15 feet or fraction thereof by which the total building height exceeds the number of stories times 15 feet; except that such additional gross floor area shall not be counted in the case of a church, theatre or other place of public assembly.

SEC. 102.((11))12. HEIGHT (OF A BUILDING OR STRUCTURE).

The vertical distance by which a building or structure rises above a certain point of measurement, which point shall be taken as indicated herein. For this purpose, the term "building" shall be deemed to include the term "structure".

- (a) In the case of either (b) or (c) below, such point shall be taken at the center line of the building or, where the building steps laterally in relation to a street that is the basis for height measurement, separate points shall be taken at the center line of each building step.
- (b) Where the lot is level with or slopes downward from a street at the center line of the building or building step, such point shall be taken at curb level on such street. This point shall be used for height measurement only for a lot depth not extending beyond a line 100 feet from and parallel to such street, or beyond a line equidistant between such street and the street on the opposite side of the block, whichever depth is greater. Measurement of height for any portion of the lot extending beyond such line shall be considered in relation to the opposite (lower) end of the lot, and that portion shall be considered an upward sloping lot in accordance with Subsection (c) below, whether or not the lot also has frontage on a lower street.
- (c) Where the lot slopes upward from a street at the center line of the building or building step, such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street; at every other cross-section of the building, at right angles to the center line of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section. The ground elevations used shall be either existing elevations or the elevations resulting from new grading operations encompassing an entire block. Elevations beneath the building shall be taken by projecting a straight line between ground elevations at the exterior walls at either side of the entire building in the same plane.

- (d) Where the lot has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken, within the scope of the rules stated above.

Where the height limits for buildings and structures are established by this Code, the upper points to be taken for measurement of height shall be as prescribed in the provisions relating to such height limits.

SEC. 102.13. LIVE/WORK UNIT.

A live/work unit is a physically separated portion of a structure combining a residential living space for one family with a work space principally used by one or more of the residents. A live/work unit shall not be subject to any requirement specified by this Code for dwelling units, except as specifically otherwise provided. No unit created within a structure constructed after the effective date of Ordinance No. ---- shall be considered a live/work unit unless at least 50 percent of the occupied floor area has sufficient floor-to-ceiling heights to allow installation of a mezzanine loft conforming to Uniform Building Code standards, including sprinklers above and below the loft.

SEC. 102.((12))14. LOT.

A parcel of land under one ownership which constitutes, or is to constitute, a complete and separate functional unit of development, and which does not extend beyond the property lines along streets or alleys. A lot as so defined generally consists of a single Assessor's Lot, but in some cases, consists of a combination of contiguous Assessor's lots or portions thereof where such combination is necessary to meet the requirements of this Code. In order to clarify the status of specific property as a lot under this Code, the Zoning Administrator may, consistent with the provisions of this Code, require such changes in the Assessor's records, placing of restrictions on the land records and other actions as may be necessary to assure compliance with this Code.

SEC. 102.((13))15. LOT. CORNER.

A lot bounded on two or more adjoining sides by streets that intersect adjacent to such lot, provided that the angle of intersection of such streets along such lot does not exceed 135 degrees. For the purposes of this Code no corner lot shall be considered wider or deeper than 125 feet, and the remainder of any lot involved shall be considered to be an interior lot. Whenever a corner lot is resubdivided, only that portion which thereafter is bounded on adjoining sides by streets as herein described shall be a corner lot.

SEC. 102.((14))16. LOT, INTERIOR.

A lot other than a corner lot.

SEC. 102.17. NIGHTTIME ENTERTAINMENT USES.

Nighttime entertainment uses shall include bars, dance halls, discotheques, cabarets, nightclubs, private clubs, and other similar evening-oriented entertainment activities, including restaurants which present such activities and which require dance, place of entertainment and/or cabaret police permits, but shall not include any arts-related space.

SEC. 102.((15))18. ONE OWNERSHIP.

Ownership of a parcel or contiguous parcels of property or possession thereof under a contract to purchase by a person or persons, firm, corporation, or partnership, individually, jointly, in common, or in any other manner whereby such property is under single or unified control. The term shall include condominium ownership. The term "Owner" shall mean the person, firm, corporation or partnership exercising one ownership as herein defined.

SEC. 102.((16))19. OPEN SPACE, REQUIRED.

Any front set-backs, side or rear yards, courts, usable open space or other open area provided in order to meet the requirements of this Code.

SEC. 102.((17))20. OPEN USE.

Any use of a lot that is not conducted within a building.

SEC. 102.((18))21. PLAN DIMENSIONS.

The linear horizontal dimensions of a building or structure, at a given level, between the outside surfaces of its exterior walls. The "Length" of a building or structure is the greatest plan dimension parallel to an exterior wall or walls, and is equivalent to the horizontal dimension of the corresponding elevation of the building or structure at that level. The "Diagonal Dimension" of a building or structure is the plan dimension between the two most separated points on the exterior walls.

SEC. 102.((19))22. PRINCIPAL FACADES.

Exterior walls of a building which are adjacent to or front on a public street, park, or plaza.

SEC. 102.((20))23. STORY.

That portion of a building, except a mezzanine as defined in the Building Code, included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the surface of the floor and the ceiling next above it.

SEC. 102.((21))24. STORY, GROUND.

The lowest story of a building, other than a basement or cellar as defined in the Building Code.

SEC. 102.((22))25. STREET.

A right-of-way, 30 feet or more in width, permanently dedicated to common and general use by the public, including any avenue, drive, boulevard, or similar way, but not including any freeway or highway without a general right of access for abutting properties.

SEC. 102.((23))26. STRUCTURE.

Anything constructed or erected which requires fixed location on the ground or attachment to something having fixed location on the ground.

SEC. 102.((24))27. STRUCTURAL ALTERATIONS.

Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

SEC. 102.((25))28. USE.

The purpose for which land or a structure, or both, are designed, constructed, arranged, or intended, or for which they are occupied or maintained, let or leased.

SEC. 124. BASIC FLOOR AREA RATIO.

(a) Except as provided in Subsections (b), (c) and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 1

BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	1.8 to 1
RM-3 <u>except South of Market</u>	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4 <u>except South of Market</u>	4.8 to 1
C-1, C-2	3.6 to 1
C-3-0	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-0 (SD)	6.0 to 1
C-M	9.0 to 1
M-1, M-2	5.0 to 1
HSL	2.5 to 1
SLI	2.5 to 1
SSO	4.0 to 1 in 65 foot height district; 3.0 to 1 in 50 foot height district
South of Market	
RC-4 District;	1.8 to 1
South of Market RM-3 Districts	1.0 to 1

- (b) In R and all South of Market districts, the above floor area ratio limits shall not apply to dwellings.
- (c) In a C-2 district the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a

lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.

- (d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.
- (e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.
- (f) For buildings in C-3-G and C-3-S districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this code.
 - 1. Any dwelling approved for construction under this provision shall be deemed a designated unit as defined below. Prior to the issuance by the Superintendent of the Bureau of Building Inspection (Superintendent) of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.
 - 2. Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

3. Each designated unit shall be subject to the provisions of Sections 313(i) of this Code. For purposes of this Subsection and the application of Section 313(i) of this Code to designated units constructed pursuant to this Subsection, the definitions set forth in Section 313(a) shall apply, with the exception of the following definitions, which shall supersede the definitions of the terms set forth in Section 313(a):

- (A) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code Section 6932 on the date on which a housing unit is sold.
- (B) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code Section 6932 for a family of a size equivalent to the number of persons residing in a household renting a designated unit.
- (C) "Designated unit" shall mean a housing unit identified and reported to the Director by the sponsor of an office development project subject to this Subsection as a unit that shall be affordable to households of low or moderate income for 20 years.
- (D) "Household of low or moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150% of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.
- (E) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicants' successors and assigns.

((g) In the Mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.))

((h))((g) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

((i))(h) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.

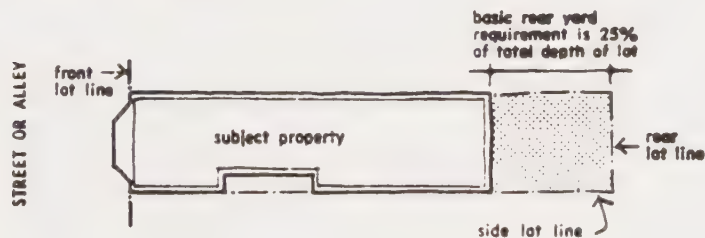
((j))(i) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

REAR YARDS, R, C, ((AND)) M, AND SOUTH OF MARKET DISTRICTS.

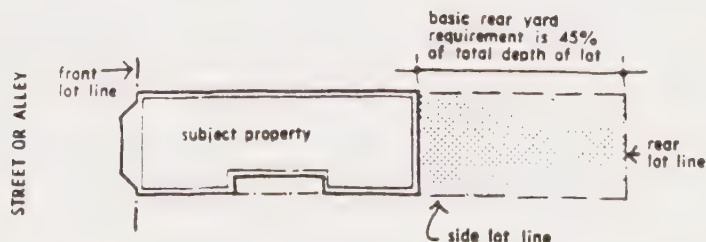
The following requirements for rear yards shall apply to every building in an R district and to every dwelling in a C, ((or)) M ((district)) or South of Market district. These requirements are intended to assure the protection and continuation of established mid-block, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings. Live/work units in South of Market R Districts shall be exempt from these requirements.

- (a) Basic requirements. The basic rear yard requirements shall be as follows for the districts indicated. Such rear yards shall be provided at grade level and at each succeeding level or story of the building; except that in RC-2, RC-3, RC-4, C, ((and)) M, and all South of Market districts such rear yards shall be provided at the lowest story occupied as a dwelling at the rear of the building, and at each succeeding story of the building, and except that in all South of Market R districts, rear yards may be provided as described in subsection 3 below.

1. RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, C and M districts. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.



2. RH-2, RH-3, RM-1 and RM-2 districts. The minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below.



3. South of Market Districts.

(A) The rear yard requirement described in Section 134(a) above, may be modified by the Zoning Administrator for any building in a South of Market district pursuant to Section 307(g) of this Code provided that all of the following criteria are met:

(i) A comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents and provides a more pleasant open space resource which is sunlit, quiet and protected from adverse wind conditions; and

(ii) The proposed new or expanded structure will not significantly impede the access of light and air to or views from abutting properties; and

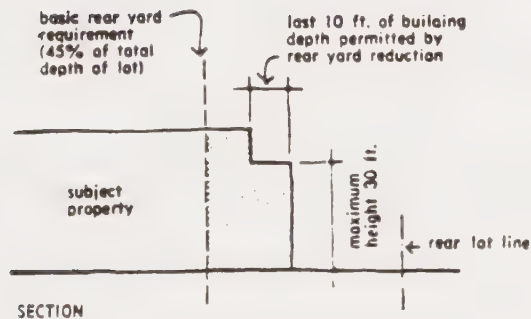
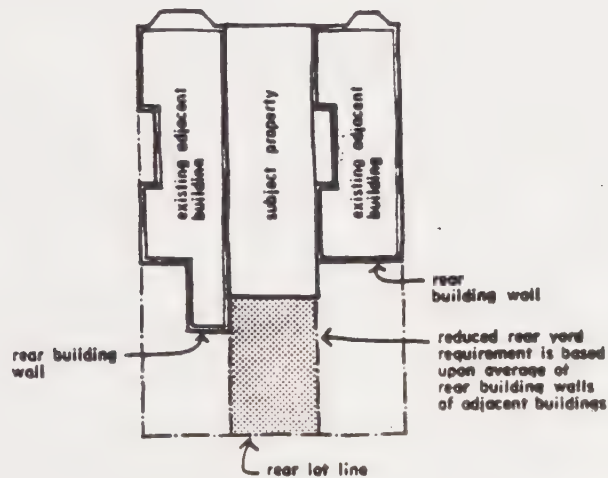
(iii) The proposed new or expanded structure will not break up the pattern of interior block open space formed by the rear yards of abutting properties.

(B) The applicant shall provide to the Zoning Administrator accurate site plans, photographs, property surveys and/or other materials as deemed necessary by the Zoning Administrator to show existing rear yard and open space patterns within the vicinity of the subject parcel.

(b) Permitted obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

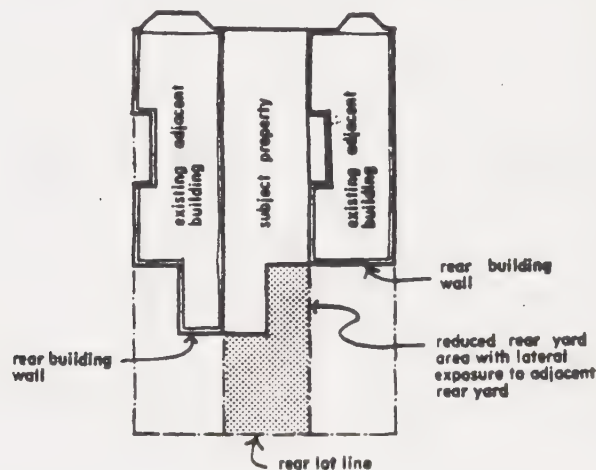
(c) Reduction of requirements in RH-2, RH-3, RM-1 and RM-2 districts. The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 districts, as stated in Paragraph (a)2 above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 per cent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

1. General rule. In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.



SECTION

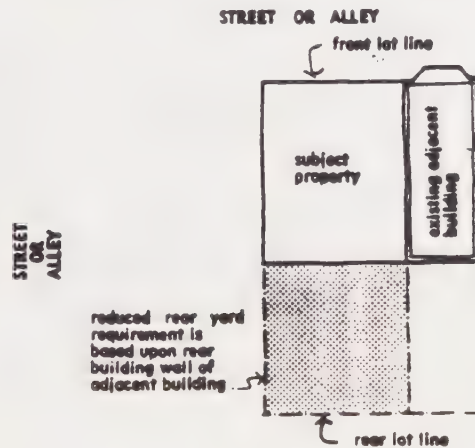
2. **Alternative method of averaging.** If, under the rule stated in Paragraph (c)1 above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)1 above times the reduction in depth of rear yard permitted by Paragraph (c)1; and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.



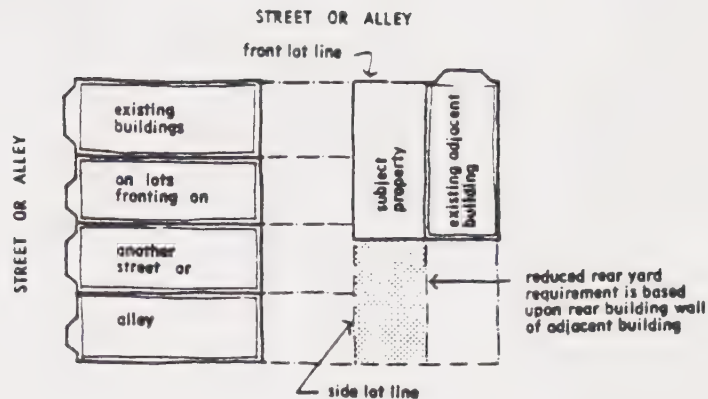
3. **Method of measurement.** For purposes of this Subsection (c), an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less; excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, C, M or P district, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

4. Applicability to special lot situations. In the following special lot situations, the general rule stated in Paragraph (c)1 above shall be applied as provided in this Paragraph (c)4, and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.

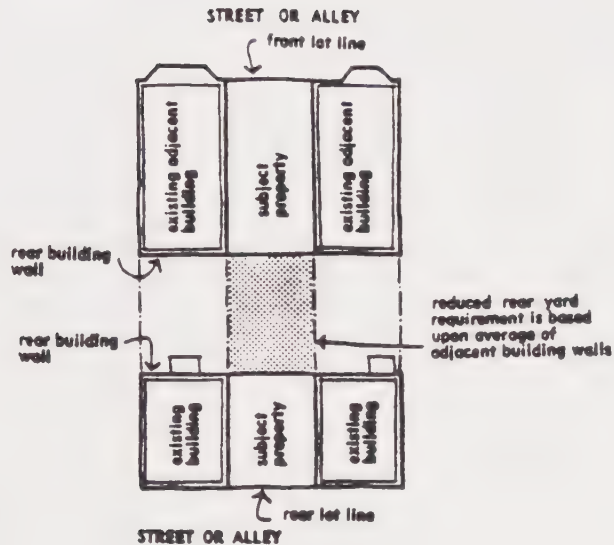
- (A) Corner lots and lots at alley intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.



- (B) Lots abutting properties with buildings that front on another street or alley. In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.



- (C) Through lots abutting properties that contain two buildings. Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)4(C) is applied, the requirements of Section 132 of this Code for front set-back areas shall be applicable along both street or alley frontages of the subject through lot.



- (d) Reduction of requirements in C-3 districts. In C-3 districts, an exception to the rear yard requirements of this section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.
- (e) Reduction of requirements in the North of Market Residential Special Use District. The rear yard requirement may be substituted with an equivalent amount of open space situated anywhere on the site provided that the Zoning Administrator determines that all of the following criteria are met:
1. The substituted open space in the proposed new or expanding structure will improve the access of light and air to and views from existing abutting properties; and
 2. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

This provision shall be administered pursuant to the notice and hearing procedures which are applicable to variances as set forth in Section 306.1 through 306.5 and 308.2.

SEC. 135.

USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING, R, C, ((AND)) M, AND SOUTH OF MARKET DISTRICTS.

Except as provided in Sections 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, C and M districts, and all South of Market districts, according to the standards set forth in this section.

- (a) Character of space provided. Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing).
- (b) Access. Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:
 - 1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.
 - 2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.
- (c) Permitted obstructions. In the calculation of either private or common usable open space, those obstructions listed in Section 136 of this Code for usable open space shall be permitted.
- (d) Amount required. Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located; provided, however, that in the Rincon Hill Special

Use District, Residential Subdistrict, open space shall be provided in the amounts specified in Section 249.1(c)(4).

1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.
2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be $\frac{1}{3}$ the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.
3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be $\frac{1}{2}$ the amount required for each dwelling unit as specified in Paragraph (d)1 above.

TABLE 3

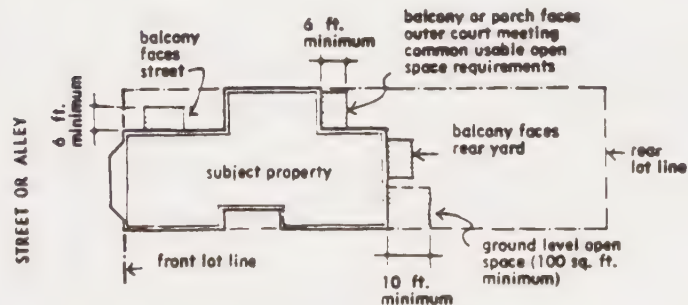
Minimum Usable Open Space for Dwelling Units

District	Square Feet of Usable Open Space Required for Each Dwelling Unit, If All Private	Ratio of Common Usable Open Space that May be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2	80	1.33
RM-3, RC-3	60	1.33
RM-4, RC-4, C-3, C-M, M-1, M-2	36	1.33
C-1, C-2	Same as for the R district establishing the dwelling unit density ratio for the C-1 or C-2 district property	
<u>South of Market</u>		
<u>HSL and SSO</u>		
Districts	36	1.33

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(f) Private usable open space: additional standards.

1. Minimum dimensions and minimum area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.
2. Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:
 - (A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.
 - (B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)1 below.

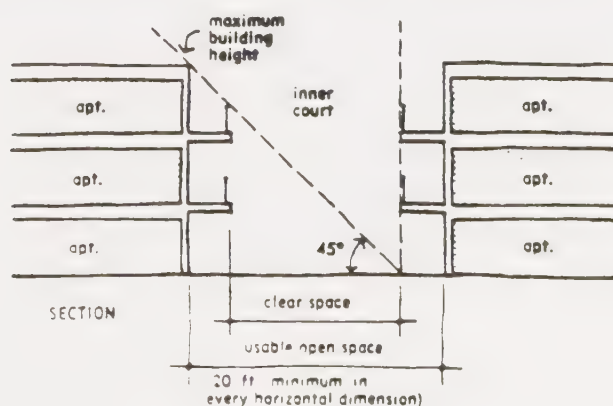


- (C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.

3. Fire escapes as usable open space. Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.
4. Use of Solariums. In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) Common usable open space: additional standards.

1. Minimum dimensions and minimum area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.
2. Use of inner courts. The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.



3. Use of solariums. The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area; provided, however, that the Rincon Hill Special Use District, Residential Subdistrict, open space credit for solariums shall be as provided in Section 249.1(c)(4)(E).

SEC. 135.1 USABLE OPEN SPACE FOR LIVE/WORK UNITS IN NEWLY CONSTRUCTED BUILDINGS WITHIN THE SOUTH OF MARKET DISTRICTS.

Usable open space for live/work units within buildings newly constructed after the effective date of Ordinance No. ----, within the South of Market districts shall be provided according to the standards set forth in this section.

(a) Character of Space Provided.

The character of open space for live/work units shall satisfy the terms of Section 135(a), except that usable private or common open space for live/work units may also be provided as one of the following unenclosed resting or open space areas; a rooftop and/or podium level yard, garden or sundeck, or a solarium.

Usable open space for live/work units shall be clearly accessible to and for the use of live/work tenants.

(b) Permitted Obstructions.

In the calculation of either private or common usable open space for live/work units, the obstructions for usable open space listed in Section 136 of this Code shall be permitted and, in addition, on rooftop or podium level yards or decks, wind screens of no more than six feet in height shall be permitted. Such wind screens shall be transparent if provided at the property line or building edge or, if ~~not~~ transparent, shall be set back no less than five feet from the building edge.

(c) Amount Required.

Thirty-six square feet of open space shall be required for each live/work unit.

SEC. 135.2USABLE OPEN SPACE FOR USES OTHER THAN DWELLING UNITS, GROUP HOUSING UNITS AND LIVE/WORK UNITS WITHIN THE SOUTH OF MARKET DISTRICTS.(a) Amount of Open Space Required.

All newly constructed structures and all structures to which a net addition of gross floor area equal to 20% or more of existing gross floor area is made within any South of Market district shall provide and maintain usable open space for the new or additional square footage as follows:

TABLE 3.1

MINIMUM USABLE OPEN SPACE REQUIREMENTS
IN SOUTH OF MARKET DISTRICTS

<u>Use</u>	<u>Square Feet of Usable Open Space Required</u>
<u>Retail, per- sonal service, wholesale, home and business service, insti- tutional and like uses.</u>	<u>1 sq.ft. per 250 sq.ft. of occupied floor area of new or added square footage.</u>
<u>Manufacturing and light in- dustrial and like uses.</u>	<u>1 sq.ft. per 120 gross sq.ft. of occupied floor area of new or added square footage.</u>
<u>Office use.</u>	<u>1 sq.ft. per 90 sq.ft. of occupied floor area of new or added square footage.</u>

In addition, open space shall be provided for uses not listed in this subsection and Table, other than live/work units, dwelling units and group housing, in the amount required for the listed uses determined by the Zoning Administrator to be most similar to the unlisted use in question. In all structures in any South of Market district in which gross floor area not shown in the records of the City as approved for office use is approved as, or converted to, office use, usable open space shall be provided in the amount of 1 sq. ft. per 90 gross sq. ft. of floor area converted to office use.

b) Types of Open Space

Usable open space satisfying the requirements of this section may be one or more of the following types: a plaza, a park, a garden, a tot-lot, basketball court, picnic area or other passive or active recreation area, or a rooftop or podium level yard, garden or sun deck.

(c) Character of Space Provided.

The required open space shall:

1. Be situated in such locations and provide such ingress and egress as will make the area easily accessible to the general public;
2. Be well designed and where appropriate be landscaped;
3. Be protected from uncomfortable wind;
4. Incorporate various features, including ample seating and, if appropriate, access to food service, which will enhance public use of the area;
5. Be accessible to the public weekdays from 8:00 a.m. to 6:00 p.m., except when provided off-site in which case it shall be accessible to the public at all times unless otherwise designated by a City agency which has jurisdiction over the area in which the open space is located;
6. Have adequate access to sunlight if sunlight access is appropriate to the type of area;
7. Be well lighted if the area is of the type requiring artificial illumination,
8. Be designed to enhance user safety and security; and
9. Be of sufficient size to be attractive and practical for its intended use;

(d) Permitted Obstructions. Permitted obstructions for open space required under this section shall include the following as well as those described in Section 136 of this Code:

1. Benches, tables, chairs, bollards, street trees, landscape features, toilets, and other street furniture; and
2. Arcades, wind screens, canopies, and other appropriate architectural features necessary to provide sunlit and wind protected sitting and walkway features; and
3. Temporary, small-scale pedestrian-oriented convenience establishments such as movable beverage and/or food stands, outdoor cafes, newsstands, or flower stands provided that all such activities combined do not exceed 10 percent of the total usable open space requirement when provided on private property and do not exceed 10 percent of the designated area of the public right-of-way or other approved space when provided on public lands.

(e) Alternative Means of Satisfying the Open Space Requirement.

- (1). If an open space satisfying the requirements and standards of subsections (b) and (c) cannot be created because of constraints of the development site or because the square footage of open space is not of sufficient size to provide a useable open space the Zoning Administrator may authorize, as an eligible type of open space, a pedestrian mall or walkway within a public right of way which is improved with paving, landscaping, and street furniture appropriate for creating an attractive area for sitting and walking.
- (2). If an open space satisfying the requirements and standards of this section cannot be created because of constraints of the development site or because the square footage of open space to be provided is not of sufficient size and if the off-site options authorized by paragraph (1) above are found to be infeasible at the time of the project application, the Zoning Administrator may, upon application by the proposed developer pursuant to Section 307(g), waive the requirement that an open space be provided. It shall be a condition of any such waiver that the proposed developer pay the amount of \$.67 per gross square foot of floor area devoted to retail sales, wholesale, personal service or institutional activities, or home or business service activities; and \$1.35 per gross square foot of space devoted to manufacturing or light industrial activities within the structure (other than space occupied by

live/work units) and \$1.80 per gross square foot of office activities within the structure. This payment shall be paid in full to the City prior to the issuance of any temporary or other certificate of occupancy for the subject property. Funds received on account of any such payment shall be deposited in the South of Market Open Space Fund established pursuant to Section 10.203 of the San Francisco Administrative Code.

(f) Costs and Restrictions. All costs of the open space, including without limitation those associated with design, development, liability insurance, regular maintenance, and safe operation of this open space, shall be borne by the property owner. Liability insurance satisfactory to the Department, naming the City and County of San Francisco and its officers and employees as additional insureds, shall be provided for all such spaces. The property owner shall record with the County Recorder and Bureau of Building Inspection a special restriction on the property satisfactory in substance to the Department and sufficient to give notice to subsequent owners, tenants and other persons having other economic interests in the property of the open space requirement and the means by which the requirement has been, and must continue to be, satisfied. Additionally, the property owner shall prominently post and maintain a plaque at the entrance to the open space area which declares what the open space requirement is and how it is being satisfied.

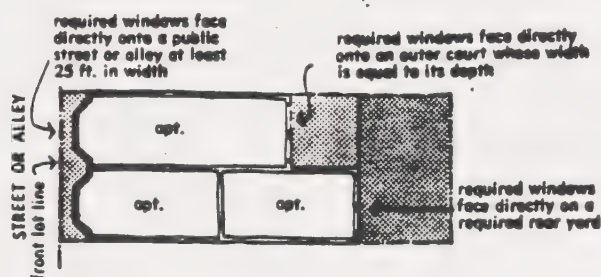
(g) Approval and construction. The design and location of proposed open space and its ability to fulfill public open space needs shall be reviewed as part of the site or building permit application for the project in question and must be approved or disapproved by the Department in its action on that permit. The Department shall consider those standards listed in subsection (c) which are applicable as part of its decision to approve or disapprove the proposed open space. The open space shall be constructed pursuant to the relevant permit, and no temporary or other certificate of occupancy shall be issued for any structure constructed under the permit until the open space is complete.

SEC. 140.

ALL DWELLING UNITS TO FACE ON AN OPEN AREA, R, C, ((AND)) M AND SOUTH OF MARKET DISTRICTS.

- (a) In each dwelling unit in an R, C, ((or)) M or any South of Market district, the required windows (as defined by Section 501.4 of the San Francisco Housing Code) of at least one room that meets the 120-square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code shall face directly on an open area of one of the following types:

1. A public street, public alley at least 25 feet in width, sideyard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided that if such windows are on an outer court whose width is less than 25 feet the depth of such court shall be no greater than its width; or



2. An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than 4 feet 6 inches, chimneys, and those obstructions permitted in Sections 136(c)14, 15, 16, 19, 20 and 29 of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

SEC. 141. SCREENING OF ROOFTOP FEATURES R, C, ((AND)) M AND SOUTH OF MARKET DISTRICTS.

- (a) ~~In~~ R, C, ((and)) M and all South of Market districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation. Within the South of Market districts, whenever the features listed in Section 260(b)(1)A and B will be higher than 5 feet or occupy more than 10% of the roof area the features shall be enclosed or screened.
- (b) In C-3 districts, whenever the enclosure or screening of the features listed in Section 260(b)(1)A and B, will be visually prominent, modifications may, in accordance with provisions of Section 309, be required in order to insure that: (1) the enclosure or screening is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if enclosed or screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) The additional building volume is not distributed in a manner which simply extends vertically the walls of the building.
- (c) ~~In~~ the Rincon Hill Special Use District mechanical equipment and appurtenances shall be enclosed in such a manner that (1) the enclosure is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

- (d) In South of Market districts, any enclosure or screening required under subsection (a) shall be designed as a logical extension of the building form and an integral part of the overall building design and shall provide a balanced and graceful silhouette for the top of the structure; its cladding and detailing shall be comparable in quality to that of the rest of the building; and it shall be designed to obscure the rooftop equipment and appurtenances.

SEC. 143. STREET TREES, R, C-3 AND SOUTH OF MARKET DISTRICTS.

- (a) In any R district and within all South of Market districts, street trees shall be installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of floor area equal to 20 percent or more of an existing building.
- (b) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a set-back area on the lot or within the public right-of-way along such lot.
- (c) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.
- (d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.
- (e) In C-3 and South of Market districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement in C-3 districts where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

SEC. 147. REDUCTION OF SHADOWS ON CERTAIN PUBLIC OR PUBLICLY ACCESSIBLE OPEN SPACES IN C-3 OR SOUTH OF MARKET DISTRICTS.

~~New~~ buildings and additions to existing buildings in C-3 districts and new buildings and additions to existing buildings in South of Market districts where the building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. In determining the impact of shadows, the following factors shall be taken into account: the amount of area shadowed, the duration of the shadow, and the importance of sunlight to the type of open space being shadowed. Determinations under this section with respect to C-3 districts shall be made in accordance with the provisions of Section 309.

SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.

Off-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

TABLE 4
OFF-STREET PARKING SPACES REQUIRED

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Dwelling, except as specified below	One for each dwelling unit.
Dwelling, RC-4, and C-3 districts	One for each four dwelling units.
Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code.	One-fifth the number of spaces specified above for the district in which the dwelling is located.
Group housing of any kind	One for each 3 bedrooms or for each 6 beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
Hotel, inn or hostel	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit if any.
Motel	One for each guest unit, plus one for the manager's dwelling unit if any.
Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.
Hospital or other in-patient medical institution	One for each 8 beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement; provided, that these requirements shall not apply if the calculated number of spaces is no more than two.

Table 4 (Con't)

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Residential care facility	One for each 10 residents, where the number of residents exceeds 9.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each 6 classrooms.
Secondary school	One for each 2 classrooms.
Post-secondary educational institution	One for each 2 classrooms.
Church or other religious institution	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.
Theater or auditorium	One for each 8 seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or out-patient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
<u>Office space for architects or engineers within the South of Market districts</u>	<u>One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.</u>
Other business office	One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 750 square feet within the South of Market districts, where the occupied floor area exceeds 5,000 square feet.</u>

Table 4 (Con't)

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Restaurant, night club, pool hall, dance hall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.
Service, repair or wholesale sales space	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Mortuary	Five.
Storage or warehouse space, and space devoted to any use first permitted in an M-2 district	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
<u>Arts-related spaces in South-of-Market districts</u>	<u>One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.</u>

Table 4 (Con't)

<u>Use or Activity</u>	<u>Number of Off-Street Parking Spaces Required</u>
Other manufactur- ing and indus- trial uses.	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
<u>Live/work units within the South of Market districts.</u>	<u>One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except where live/work units are provided without regard to the Floor Area Ratio Limit in reliance upon Section 102.9(b)17 or are relied on to qualify for a height exception under Section 263.11(c)4 of this Code, in which case one space shall be required for each such live/work unit.</u>

SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES IN DISTRICTS OTHER THAN C-3 OR SOUTH OF MARKET.

In districts other than C-3 and the South of Market districts, off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that non-accessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

TABLE 5
OFF-STREET FREIGHT LOADING SPACES REQUIRED
(OUTSIDE C-3 AND SOUTH OF MARKET DISTRICTS)

<u>Use of Activity</u>	<u>Gross Floor Area of Structure or Use (sq.ft.)</u>	<u>Number of Off- Street Freight Loading Spaces Required</u>
Retail stores, wholesaling, manufacturing, and all other uses primarily engaged in the handling of goods.	0- 10,000	0
	10,001- 60,000	1
	60,001-100,000	2
	over 100,000	3 plus 1 for each additional 80,000 sq.ft.
Offices, hotels, apartments and all other uses not included above	0-100,000	0
	100,001-200,000	1
	200,001-500,000	2
	over 500,000	3 plus 1 for each additional 400,000 sq.ft.

SEC. 152.5. REQUIRED OFF-STREET FREIGHT LOADING AND SERVICE VEHICLE SPACES
IN C-3 AND SOUTH OF MARKET DISTRICTS.

In ~~C-3~~ and South of Market districts, off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Sections 153(a)6 and 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that non-accessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

TABLE 5.5
OFF-STREET FREIGHT LOADING SPACE REQUIREMENTS
(IN C-3 AND SOUTH OF MARKET DISTRICTS)

<u>Use of Activity</u>	<u>Gross Floor Area of Structure or Use (square feet)</u>	<u>Number of Off- Street Freight Loading Spaces Required</u>
Offices and Banks		0.1 space per 10,000 sq.ft. of gross floor area (to closest whole number per Section 153)
Retail stores,	0-10,000	0
Restaurants,	10,001-30,000	1
Bars and	30,001-50,000	2
Drug Stores	over 50,000	1 space per 25,000 sq.ft. of gross floor area (to closest whole number per Section 153)
Wholesaling,	0-10,000	0
Manufacturing,	10,001-50,000	1
and All Other Uses Primarily Engaged in Handling Goods and live/work units within South of Market districts	Over 50,000	0.21 spaces per 10,000 sq.ft. of gross floor area (to closest whole number per Section 153)
Hotels, Apartments and All Other Uses	0-100,000	0
Not Included Above	100,001-200,000	1
	200,001-500,000	2
	Over 500,000	3 Plus 1 space for each additional 400,000 sq.ft.

SEC. 153.

RULES FOR CALCULATION OF REQUIRED SPACES.

- (a) In the calculation of off-street parking and freight loading spaces required under Sections 151, 152, and 152.5, the following rules shall apply:
1. In the case of mixed uses in the same structure, on the same lot or in the same development, or more than one type of activity involved in the same use, the total requirements for off-street parking and loading spaces shall be the sum of the requirements for various uses or activities computed separately, including fractional values.
 2. Where an initial quantity of floor area, rooms, seats or other form of measurement is exempted from off-street parking or loading requirements, such exemption shall apply only once to the aggregate of that form of measurement. If the initial exempted quantity is exceeded, for either a structure or a lot or a development, the requirement shall apply to the entire such structure, lot or development, unless the contrary is specifically stated in this Code.
 3. Where a structure or use is divided by a zoning district boundary line, the requirements as to quantity of off-street parking and loading spaces shall be calculated in proportion to the amount of such structure or use located in each zoning district.
 4. Where seats are used as the form of measurement, each 22 inches of space on benches, pews and similar seating facilities shall be considered one seat.
 5. When the calculation of the required number of off-street parking or freight loading spaces results in a fractional number, a fraction of one-half or more shall be adjusted to the next higher whole number of spaces, and a fraction of less than one-half may be disregarded.
 6. In C-3 and South of Market districts, substitution of 2 service vehicle spaces for each required off-street freight loading space may be made, provided that a minimum of 50 percent of the required number of spaces are provided for freight loading. Where the 50 percent allowable substitution results in a fraction, the fraction shall be disregarded.
- (b) The requirements for offstreet parking and loading for any use not specifically mentioned in Sections 151 and 152 shall be the same as for a use specified which is similar, as determined by the Zoning Administrator.

SEC. 154. MINIMUM DIMENSIONS FOR REQUIRED OFF-STREET PARKING AND FREIGHT LOADING SPACES.

(a) Parking Spaces.

1. Every required off-street parking space shall have a minimum area of 160 square feet, except as specified in Paragraph (a)2 below. Every required space shall be of usable shape. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas.
2. In the case of any structure or use for which four or more off-street parking spaces are required, the fourth such space may be a compact car space, and for each two spaces required in excess of four the second such space may be a compact car space. For this purpose every compact car space shall have a minimum area of 127.5 square feet and shall be specifically marked and identified as a compact car space. For dwelling units within the South of Market districts, 100 percent compact sizes shall be permitted.
3. Ground floor ingress and egress to any off-street parking spaces provided for a structure or use, and all spaces to be designated as preferential car pool or van pool parking, and their associated driveways, aisles and maneuvering areas, shall maintain a minimum vertical clearance of 7 feet.

(b) Freight loading and service vehicle spaces. Every required off-street freight loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet, except as provided below.

1. Minimum dimensions specified herein shall be exclusive of platform, driveways and maneuvering areas except that minimum vertical clearance must be maintained to accommodate variable truck height due to driveway grade.
2. The first such space required for any structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.
3. Each substituted service vehicle space provided under Section 153(a)6 of this Code shall have a minimum width of 8 feet, a minimum length of 20 feet, and a minimum vertical clearance of 7 feet.

SEC. 155.

GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.

Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the Bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Department of City Planning.

- (a) Every required off-street parking or loading space shall be located on the same lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.
- (b) Every required off-street parking or loading space shall be located in its entirety within the lot lines of private property.
- (c) Every off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley. Every required off-street parking or loading space shall be independently accessible, with the exception of a parking space for a minor second dwelling unit in an RH-1(S) district. In C-3 districts, if it is found, in accordance with the provisions of Section 309, that independently accessible spaces are infeasible due to site constraints, or if it is found in South of Market districts, pursuant to Section 307(g) of this Code, that independently accessible spaces for non-residential activities are infeasible due to site constraints or that valet parking would provide a more convenient and efficient means of serving business clients, the substitution of attendant parking spaces for independently accessible spaces may be approved. Access to off-street loading spaces shall be from alleys in preference to streets.

In C-3 or South of Market districts, where there is a choice, access to off-street parking and loading spaces shall be from streets and alleys which are not part of the pedestrian network and minor streets rather than transit preferential streets or major arterial streets, all as identified in the Downtown Plan or South of Market Plan, ((a)) components of the Master Plan.

Adequate reservoir space shall be provided on private property for entrance of vehicles to off-street parking and loading spaces, except with respect to spaces independently accessible directly from the street.

- (d) All off-street freight loading and service vehicle spaces in the C-3-O, C-3-R, ((and)) C-3-G, and South of Market districts shall be completely enclosed and access from a public street or alley shall be provided by means of a private service driveway, which is totally contained within the structure. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any such private service driveway shall be of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, up to four spaces may be allowed, pursuant to the provisions from Section 309 in a C-3-O, C-3-R or C-3-G district, or the provisions of Section 307(g) in a South of Market district, to be individually accessible directly from a street or alley which is primarily used for building service.
- (e) In a C-3 or South of Market district, where site constraints would make a consolidated freight loading and service vehicle facility impractical, service vehicle spaces required by Sections 153(a)6 and 154(b)3 of this Code may be located in a parking garage for the structure or other location separate from freight loading spaces.
- (f) In a C-3 or South of Market district, whenever off-street freight loading spaces are provided, freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required number of freight loading spaces. If freight loading facilities are subterranean, the location and operation of freight elevators shall be designed, where feasible, to discourage use of freight elevators for deliveries from the ground floor. Directories of building tenants shall be provided at all freight elevators. A raised loading dock or receiving area shall be provided with sufficient dimensions to provide for short-term storage of goods. All required freight loading and service vehicle spaces shall be made available only to those vehicles at all times, and provision shall be made to minimize interference between freight loading and service operations, and garbage dumpster operations and storage.

- (g) In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel in a C-3 District, whether classified as an accessory or conditional use, which are otherwise available for use for long-term parking by downtown workers shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four (4) times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.
- (h) The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked.
- (i) For each 25 off-street parking spaces provided, one such space shall be designed and designated for handicapped persons.
- (j) For each 20 off-street parking spaces provided, one space shall be provided for parking of a bicycle.
- (k) Off-Street parking and loading facilities shall be arranged so as to prevent encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel guards or such other devices as are necessary.
- (l) Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.
- (m) Every off-street parking or loading facility shall be suitably graded, surfaced, drained and maintained.
- (n) Off-street parking and loading spaces shall not occupy any required open space, except as specified in Section 136 of this Code.
- (o) No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used as all or part of an unrequired off-street loading space. No area credited as all or part of a required off-street loading space shall also be credited as all or part of a required off-street parking space, or used as all or part of an unrequired off-street parking space.

- (p) Any off-street freight loading area located within 50 feet of any R district shall be completely enclosed within a building if such freight loading area is used in regular night operation.
- (q) Within the South of Market districts, off-street parking or freight loading spaces shall not be permitted on unenclosed rooftops, and shall only be permitted on rooftops when the enclosed parking area is designed as a logical extension of the building form and an integral part of the overall building design, incorporating adequate and appropriate landscape and decorative architectural screening and detailing features to provide a balanced and graceful silhouette for the top of the building or structure.

SEC. 161.

EXEMPTIONS FROM OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE REQUIREMENTS.

The following exemptions shall apply to the requirements for off-street parking and loading spaces set forth in Sections 151 through 155 of this Code. These provisions, as exemptions, shall be narrowly construed.

- (a) No off-street parking shall be required for a one-family or two-family dwelling where the lot on which such dwelling is located is entirely inaccessible by automobile because of topographic conditions.
- (b) No off-street loading shall be required where access to the lot cannot be provided other than by means of a driveway across a sidewalk 25 feet or more in width from the curb to the front lot line which would cause serious disruption to pedestrian traffic.
- (c) In recognition of the compact and congested nature of the downtown area, the accessibility of this area by public transit, and programs for provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use, other than dwellings where a requirement is specified, in any C-3 district.
- (d) In recognition of the small scale of development, the desirability of retention and conversion of many existing buildings of established character, the need to relieve congestion, and the provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use other than dwellings in Washington-Broadway Special Use District Numbers 1 and 2 as described in Section 239 of this Code, where the size of the lot does not exceed 20,000 square feet.
- (e) In recognition of the close neighborhood orientation of the uses provided for in Residential-Commercial Combined districts of high density, no off-street parking shall be required for any principal use in an RC-4 district for which the form of measurement is occupied floor area, where the occupied floor area of such use does not exceed 10,000 square feet.
- (f) In recognition of the policies set forth in The Plan for the Northeastern Waterfront, a part of the Master Plan, the unique nature of the area and the difficulty of providing vehicular access thereto, the City Planning Commission in specific cases may determine an appropriate reduction in off-street parking requirements in the Northern Waterfront Special Use District Number 1 as described in Section 240.1

of this Code, in authorizing any conditional use under that section. In considering any such reduction, the City Planning Commission shall consider the following criteria:

1. The anticipated parking demand to be generated by the particular use contemplated;
2. Accessibility to the proposed site from freeway ramps or from major thoroughfares;
3. Minimization of conflict of vehicular and pedestrian movements;
4. The service patterns of forms of transportation other than the automobile;
5. The pattern of land uses and the availability of parking in the vicinity;
6. The policies set forth in The Plan for the Northeastern Waterfront, including policies concerning the relative emphasis that should be given to pedestrian and vehicular movement; and
7. Such other criteria as may be deemed appropriate in the circumstances of the particular case.

(g) In instances in which all public agencies involved have certified by resolution that the requirements of this Code (i) will be satisfied in whole or in part by public off-street parking facilities constructed or authorized to be constructed for a special assessment district or upon any other basis, or (ii) in C-3 districts will be satisfied by a requirement of a cash contribution in an amount deemed sufficient to provide for the future construction of the required number of parking stalls, off-street parking required for individual buildings and uses may be correspondingly reduced if the total off-street parking supply in the area will nevertheless meet the requirements of this Code for all buildings and uses in the area.

(h) ~~The~~ off-street parking requirements for dwelling units in the North of Market Residential Special Use District, as described in Section 249.5 of this Code, may be reduced by the City Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of this Code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:

- (1) The reduction in the parking requirement is justified by the reasonably anticipated auto usage by residents of and visitors to the project; and
 - (2) The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity.
- (i) In recognition of the fact that site constraints in C-3 Districts may make provision of required freight loading and service vehicle spaces impractical or undesirable, a reduction in or waiver of the provision of freight loading and service vehicle spaces for uses in C-3 Districts may be permitted, in accordance with the provisions of Section 309 of this Code. In considering any such reduction or waiver, the following criteria shall be considered:
- 1. Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety;
 - 2. Provision of the required number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses;
 - 3. A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the buildings involved, cannot be provided; and
 - 4. Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.
- (j) ~~For~~ arts-related activities in the South of Market districts which will operate primarily during evenings and weekends, the Zoning Administrator may reduce or waive the freight loading and/or off-street parking requirement for arts-related spaces, when he or she determines pursuant to Section 307(g) that within an 800 foot walking distance from the site the anticipated demand from the proposed project, in combination with the demand for parking within the same geographic area at the time of the

permit application, would not exceed 90 percent of the on- or off-street parking spaces available within the subject area. The applicant shall provide to the Zoning Administrator an acceptable parking survey and study which shows evidence of existing parking resources and anticipated demand. The Zoning Administrator may impose conditions on reduction or waiver of the requirement, including, but not limited to, requiring valet parking services and/or leasing parking spaces on nearby lots during performance or exhibition activities.

- (k) With respect to dwelling units in the South of Market RM-3, and HSL districts, the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines pursuant to Section 307(g) that the reduced parking requirement is sufficient to serve the reasonably anticipated auto ownership by residents of and auto usage by visitors to the project.
- (l) Beginning on the effective date of Ordinance No. ---- within any South of Market district, the Zoning Administrator, upon application pursuant to Section 307(g), may waive or reduce the required off-street parking for any non-residential use where he or she determines that: (1) sufficient spaces to replace the waived or modified requirement will be provided within a parking facility open to the public sponsored by the San Francisco Parking Authority or the City and County of San Francisco; (2) it is anticipated that the replacement spaces will be available not more than ten years after the parking would otherwise first be required to be available; (3) the facility in question is within a walking distance, as defined in Section 159(d), of one-half mile; and (4) the applicant agrees to pay a fee of \$15,000, adjusted annually effective April 1 of each calendar year, by the percentage of change in the Building Cost Index of the Cost Indices for Twenty Cities published by McGraw Hill Inc., or a successor index, for the preceding calendar year, for each space as to which the requirement is waived or modified. No temporary or other certificate of occupancy shall be issued or reduced until the payment in subsection (4) is paid in full.

SEC. 163 TRANSPORTATION MANAGEMENT PROGRAMS AND TRANSPORTATION
BROKERAGE SERVICES IN C-3 AND SOUTH OF MARKET DISTRICTS.

- (a) Purpose. This Section is intended to assure that adequate measures are undertaken and maintained to minimize the transportation impacts of added office employment in the downtown and South of Market area, in a manner consistent with the objectives and policies of the Master Plan, by facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles.
- (b) Requirement. For any new building or additions to or conversion of an existing building in C-3 and South of Market Districts where the gross square feet of new, converted or added floor area for office use equals at least 100,000 square feet, the project sponsor shall be required to provide on-site transportation brokerage services for the actual lifetime of the project, as provided in this subsection. Prior to the issuance of a temporary permit of occupancy (for this purpose Section 149(d) shall apply), the project sponsor shall execute an agreement with the Department of City Planning for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services. The transportation management program and transportation brokerage services shall be designed:
1. To promote and coordinate effective and efficient use of transit by tenants and their employees, including the provision of transit information and sale of transit passes on-site.
 2. To promote and coordinate ridesharing activities for all tenants and their employees within the structure or use.
 3. To reduce parking demand and assure the proper and most efficient use of on-site or off-site parking, where applicable, such that all provided parking conforms with the requirements of Article 1.5 of this Code and project approval requirements.
 4. To promote and encourage project occupants to adopt a coordinated flex-time or staggered work hours program designed to more evenly distribute the arrival and departure times of employees within normal peak commute period.

5. To participate with other project sponsors in a network of transportation brokerage services for the respective downtown or South of Market area.
6. To carry out other activities determined by the Department of City Planning to be appropriate to meeting the purpose of this requirement.

For any new building or additions to or conversion of an existing building in a South of Market district where the gross square feet of new, converted or added floor area for office use equals at least 20,000 square feet, but less than 100,000 square feet, the project sponsor shall participate with other project sponsors in a network of transportation brokerage services for the South of Market area. Prior to the issuance of a temporary permit of occupancy (for this purpose Section 149(d) shall apply), the project sponsor shall execute an agreement with the Department of City Planning to so participate. Participation in a network or other similar organization shall, at a minimum, include, and the sponsor's agreement shall adequately provide for:

1. Distribution to building employees of ridesharing promotional materials and matchlist applications, at least once each year.
2. Distribution to building employees of transit route and schedule information, and other transit promotional materials, and distribution of transit pass sales program information to building tenants, at least once each year.
3. Distribution to building tenants materials on flextime programs at least once per year.
4. Administration of an employee and employer transportation survey at least once every 2 years.

SEC. 172.

COMPLIANCE OF STRUCTURES, OPEN SPACES AND OFF-STREET PARKING AND LOADING REQUIRED.

- (a) No structure shall be constructed, reconstructed, enlarged, altered or relocated so as to have or result in a greater height, bulk or floor area ratio, less required open space as defined by this Code, or less off-street parking space or loading space, than permissible under the limitations set forth herein for the district or districts in which such structure is located.
- (b) No existing structure which fails to meet the requirements of this Code in any manner as described in Subsection (a) above, or which occupies a lot that is smaller in dimension or area than required by this Code, shall be constructed, reconstructed, enlarged, altered or relocated so as to increase the discrepancy, or to create a new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code.
- (c) No required open space, off-street parking space or loading space existing or hereafter provided about, in or on any structure shall be reduced below the minimum requirements therefore set forth in this Code, or further reduced if already less than said minimum requirements. No required open space, off-street parking space or loading space existing or hereafter provided for a structure or use and necessary to meet or meet partially the requirements of this Code for such structure or use shall be considered as all or part of the required open space, off-street parking space or loading space required for any other structure or use, except as provided in Section 160 for the collective provision or joint use of parking.
- (d) Within any South of Market district, existing live/work units, or those newly created or expanded within the existing exterior walls of a structure, so long as they conform to all Building Code requirements, shall not be considered an enlargement, construction, reconstruction, alteration or relocation for purposes of this section.
- (e) Within any South of Market district, any structure containing one or more live/work units on the effective date of the permanent adoption of this subsection must provide off-street parking and open space for live/work units, but only to the extent of: (1) any off-street parking or open space which existed on said effective date; and, in addition, (2) the off-street parking and open space corresponding to any subsequent increase in the number of live/work units within the structure.

SEC. 180.

NONCONFORMING USES, NONCOMPLYING STRUCTURES AND SUBSTANDARD LOTS OF RECORD: GENERAL.

The following provisions shall apply to nonconforming uses, noncomplying structures and substandard lots of record:

- (a) Such uses, structures and lots are hereby defined as follows:
1. A nonconforming use is a use which existed lawfully at the effective date of this Code, or of amendments thereto, or a live/work unit within any South of Market district which existed on the effective date of Ordinance No. (other than a live/work unit wholly or partly occupying space whose legal use under this Code was then limited to that of a dwelling unit) and which fails to conform to one or more of the use limitations under Articles 2 and 6 of this Code that then became applicable for the district in which the property is located.
 2. A noncomplying structure is a structure which existed lawfully at the effective date of this Code, or of amendments thereto, and which fails to comply with one or more of the regulations for structures, including requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5 and 6 of this Code, that then became applicable to the property on which the structure is located.
 3. A substandard lot of record is a lot which existed lawfully at the effective date of any requirement of this Code applicable thereto for minimum lot width or area (on December 26, 1946, or through subsequent amendments), and which fails to meet one or more of such requirements. Any lot existing and recorded as a separate parcel in the office of the Assessor or the Recorder at such effective date shall be deemed to be a lot of record under this Code as of such date. Any lot created by merger of such existing lots of record or parts thereof in such a manner as to establish a lesser number of lots, each having an increased area with no reduction in width, or an increased width with no reduction in area, or both an increased area and an increased width, shall also be deemed to be a lot of record under this Code as of the date of such merger.
- (b) Such uses, structures and lots, in failing to meet applicable requirements of this Code, are incompatible with the purposes of this Code and with other uses, structures and lots in the city, and it is intended that these uses, structures and lots shall be brought into compliance with this Code as quickly as the fair interests of the parties will permit.

- (c) Notwithstanding any other provision of this Code, such uses, structures and lots may be continued, except as otherwise provided in Sections 180 through 189, and subject to the limitations of this Article 1.7.
- (d) A mere change of title or possession or right of possession of property, without any other change that is relevant to the restrictions of this Code, shall not terminate the status of a nonconforming use, noncomplying structure or substandard lot of record.
- (e) Any structure or use for which a permit was lawfully granted prior to May 2, 1960, pursuant to the City Planning Code provisions in effect on that date, and which was thereafter commenced and completed in accordance with such provisions, shall be deemed to have been a lawfully existing structure or use on that date. Any structure or use for which a permit has been lawfully granted pursuant to the provisions of this Code relating to amendments, and which has thereafter been commenced and completed in accordance with such provisions, shall be deemed to be a lawfully existing structure or use at the time of the amendment that causes it to become a noncomplying structure or a nonconforming use.
- (f) Except as specifically provided in this Code to the contrary, every nonconforming use, noncomplying structure and substandard lot of record shall comply with the applicable requirements of this Code, other than those requirements from which such uses, structures and lots are exempted by this Section 180.
- (g) Section 606(c) and other provisions of Article 6 of this Code shall regulate the signs permitted for nonconforming uses. In addition, signs which are themselves classified as nonconforming uses and noncomplying structures under this Code shall be governed by Section 604 and other provisions of Article 6 of this Code.

SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION.

The following provisions shall apply to nonconforming uses with respect to enlargements, alterations, and reconstruction:

- (a) A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a mezzanine loft within an individual live/work unit within any South of Market district unless the result will be elimination of the nonconforming use, except as provided in Paragraph (b)3 or subsection (f) below. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any other use, except as provided in this subsection (f) below, or as provided in Section 182 of this Code.
- (b) A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Subsections (a) above and (d), ((and)) (e) and (f) below, and except as follows:
 - 1. Ordinary maintenance and minor repairs shall be permitted where necessary to keep the structure in sound condition, as well as minor alterations, where such work is limited to replacement of existing materials with similar materials placed in a similar manner.
 - 2. Minor alterations shall be permitted where ordered by an appropriate public official to correct immediate hazards to health or safety, or to carry out newly enacted retroactive requirements essential to health or safety.
 - 3. Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the nonconforming use is not enlarged, intensified, extended, or moved to another location.
 - 4. All other alterations of a structural nature shall be permitted only to the extent that the aggregate total cost of such other structural alterations, as estimated by the Department of Public Works, is less than 1/2 of the assessed valuation of the improvements prior to the first such alteration.
- (c) A dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units set forth in Section 209.1 or Section 209.2 of this Code for the district in which it is located shall be classified as a nonconforming use under Section 180 of this Code, but

only to the extent that such dwelling or other housing structure exceeds the permitted density. This Section 181 shall apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting of those dwelling units or other housing units which exceed the permitted density. Any dwelling unit or other housing unit coming within the density limit shall not be affected by this Section 181. Except as provided in Section 182(e), no dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units shall be altered to increase the number of dwelling units or other housing units therein, or to increase or create any other nonconformity with respect to the dwelling unit or other housing unit density limitations of Section 209.1 or Section 209.2.

- (d) Notwithstanding the foregoing provisions of this Section 181, a structure occupied by a nonconforming use that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition and use; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to completion. The age of such a structure for the purposes of Sections 184 and 185 shall nevertheless be computed from the date of the original construction of the structure. Except as provided in Subsection (e) below, no structure occupied by a nonconforming use that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the use limitations of this Code.
- (e) In order that major life safety hazards in residential structures may be eliminated as expeditiously as possible, a structure containing dwelling units or other housing units exceeding the number permitted by Section 209.1 or Section 209.2 of this Code, and constructed of unreinforced masonry that is inconsistent with the requirements of the San Francisco Building Code effective September 11, 1947, may be voluntarily razed and restored or reconstructed with the same number of residential units; provided that there is no increase in any nonconformity, or any new nonconformity, with respect to the use limitations of this Code; provided further that the current requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met; and provided further than such restoration or reconstruction is started within one year after razing or other demolition work on the structure and diligently prosecuted to completion.

- (f) A nighttime entertainment use within the South of Market HSL or SLI districts may be enlarged, intensified, extended or expanded, provided that: (1) the enlargement, intensification, extension or expansion is approved as a conditional use pursuant to Sections 303 and 316 of this Code; and (2) the use as a whole satisfies Section 212(f) of this Code; and (3) the use as a whole meets the parking requirements of this Code, taking into account any reduction or waiver allowed pursuant to Section 161(j) of this Code, and all other requirements of this Code which would apply if the use were a permitted one; and (4) the enlargement, intensification, extension, or expansion does not cause the building to exceed the allowable Floor Area Ratio limit and height or bulk limit for the property.
- (g) Any use located within a South of Market district, which existed on the effective date of Ordinance No. ---- and was permitted as a principal or conditional use immediately prior to the effective date of Ordinance No. ---- but for which the required building and/or conditional use permits had not been obtained, and which use is not permitted or conditional after the enactment of Ordinance No. ---- will be deemed to be a nonconforming use if:
- 1 Within two years of the effective date of Ordinance No. --- an application is filed for all permits necessary to bring the use into compliance with applicable codes; and
 - 2 All necessary permits are granted; and
 3. Within one year of final administrative action on the granting of the necessary permits, or within such alternate period specified as a condition on approval of the permits, which the Zoning Administrator deems reasonable and necessary, all work which is required under all applicable codes is substantially completed.

SEC. 182. NONCONFORMING USES: CHANGES OF USE.

The following provisions shall apply to nonconforming uses with respect to changes of use:

- (a) A nonconforming use shall not be changed or modified so as to increase the degree of nonconformity under the use limitations of this Code, with respect to the type of use or its intensity except as provided in Section 181 for nighttime entertainment activities within the South of Market HSL or SLI districts. The degree of nonconformity shall be deemed to be increased if the new or modified use is less widely permitted by the use districts of the city than the nonconforming use existing immediately prior thereto.
- (b) A nonconforming use may be changed to another use listed in Article 2 of this Code as a principal use for the district in which the existing use would first be permitted as a principal use, or reduced in size, extent or intensity, or changed to a use that is more widely permitted by the use districts of the city than the existing use, subject to the other applicable provisions of this Code. Except as otherwise provided herein, however, the new use shall still be classified as a nonconforming use. This provision shall not apply in the Residential Subdistrict of the Rincon Hill Special Use District.
- (c) Notwithstanding the provisions of subsections (a) and (b), a nonconforming use may not be changed to an office, nighttime entertainment, hotel, motel, inn, hostel, restaurant or movie theater use in any South of Market district where the use in question is not permitted.
- ((c)) (d) A nonconforming use may be changed to a use listed in Article 2 of this Code as a conditional use for the district in which the property is located, subject to the other applicable provisions of this Code, without the necessity of specific authorization by the City Planning Commission except where major work on a structure is involved, and the new use may thereafter be continued as a permitted conditional use, subject to the limitations of Section 303(f) of this Code.
- ((d)) (e) A nonconforming use may be changed to a use listed in Article 2 of this Code as a principal use for the district in which the property is located, subject to the other applicable provisions of this Code, and the new use may thereafter be continued as a permitted principal use.
- ((e)) (f) A nonconforming use in an R district subject to termination under the provisions of Section 185 of this Code may be converted to a dwelling unit without regard to the

requirements of this Code with respect to dwelling unit density under Article 2, dimensions, areas and open spaces under Article 1.2, or off-street parking under Article 1.5, provided the nonconforming use is eliminated by such conversion, provided further that the structure is not enlarged, extended or moved to another location, and provided further that the requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met.

((f)) (g) Once a nonconforming use has been changed to a principal or conditional use permitted in the district in which the property is located, or brought closer in any other manner to conformity with the use limitations of this Code, the use of the property may not thereafter be returned to its former nonconforming status, except that any area which is used as a live/work unit shall be allowed to return to its former nonconforming status, provided that any modification, enlargement, extension, or change of use, from circumstances which last lawfully existed prior to the creation of the live/work unit, shall be subject to the provisions of this Article, and the restored nonconforming use shall be considered to have existed continuously since its original establishment, prior to the live/work conversion, for purposes of this Article.

((g)) (h) If a nonconforming use has been wrongfully changed to another use in violation of any of the foregoing provisions, and the violation is not immediately corrected when required by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or abandonment of the nonconforming use under Section 183 of this Code.

SEC. 186.

EXEMPTION OF LIMITED COMMERCIAL NONCONFORMING USES. The purpose of this section is to provide for the further continuance in R districts of nonconforming uses of a limited commercial character, as herein described, which are beneficial to, or can be accommodated within, the residential areas in which they are located. It is hereby found and declared that, despite the general incompatibility of nonconforming uses with the purposes of this Code, and with other nearby uses, these limited commercial uses may be tolerated in residential areas, and tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes. These uses tend to be small in scale, to serve primarily a walk-in trade, and to cause a minimum of interference with nearby streets and properties. Accordingly, this section recognizes the public advantages of these uses and establishes conditions for their continued operation.

- (a) The following nonconforming uses in R districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in Subsection (b) below:
 - 1. In all RH districts and in RM-1 districts: any use that would be permitted as a principal or conditional use in an RC-1 district.
 - 2. In all other RM districts: any use that would be permitted as a principal or conditional use in an RC-2 district, provided, however, that in South of Market RM-3 districts: (A) office, hotel, motel, inn, hostel, restaurants, nighttime entertainment and movie theater uses shall not be exempt; and (B) uses permitted within the Housing/Service/Light Industrial (HSL) District shall also be exempt with the exception of restaurants which shall not be exempt.
- (b) The limited commercial nonconforming uses described above shall meet the following conditions:
 - 1. The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;
 - 2. Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;
 - 3. The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;

4. No public sidewalk space shall be occupied in connection with the use;
 - ~~5.~~ Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;
 6. Noise, odors and other nuisance factors shall be adequately controlled; and
 7. All other applicable provisions of this Code shall be complied with.
- (c) Any use affected by this section which does not comply with all of the conditions herein specified shall be subject to termination in accordance with Section 185 at the expiration of the period specified in that section, but shall be qualified for consideration as a conditional use under Section 185(e). Any such use which is in compliance with such conditions at the expiration of such period but fails to comply therewith at any later date shall be subject to termination when it ceases to comply with any of such conditions.
- (d) The provisions for nonconforming uses contained in Sections 180 through 183 shall continue to apply to all uses affected by this Section 186, except that the cost limit for structural alterations contained in Section 181(b)4 shall not be applicable thereto.

SEC. 201. CLASSES OF USE DISTRICTS. In order to carry out the purposes and provisions of this Code, the city is hereby divided into the following classes of use districts:

- P Public Use Districts
- RH-1(D) Residential, House Districts, One-Family (Detached Dwellings)
- RH-1 Residential, House Districts, One-Family
- RH-1(S) Residential, House Districts, One-Family with Minor Second Unit
- RH-2 Residential, House Districts, Two-Family
- RH-3 Residential, House Districts, Three-Family
- RM-1 Residential Mixed Districts, Low Density
- RM-2 Residential Mixed Districts, Moderate Density
- RM-3 Residential, Mixed Districts, Medium Density
- RM-4 Residential, Mixed Districts, High Density
- RC-1 Residential-Commercial Combined Districts, Low Density
- RC-2 Residential-Commercial Combined Districts, Moderate Density
- RC-3 Residential-Commercial Combined Districts, Medium Density
- RC-4 Residential-Commercial Combined Districts, High Density
- C-1 Neighborhood Shopping Districts
- C-2 Community Business Districts
- C-3-0 Downtown Office District
- C-3-R Downtown Retail District
- C-3-G Downtown General Commercial District
- C-3-S Downtown Support District
- C-M Heavy Commercial Districts
- M-1 Light Industrial Districts
- M-2 Heavy Industrial Districts

<u>HSL</u>	<u>Housing/Service/Light Industrial District</u>
<u>SLI</u>	<u>Service/Light Industrial District</u>
<u>SSO</u>	<u>Service/Secondary Office District</u>

SEC. 202. USES PERMITTED BY THIS CODE.

- (a) The use limitations of this Code shall be set forth in this ~~Article 2~~ for the use districts of the city, as established by Section 201 of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:
1. Principal uses, permitted as of right in each established district where listed for that class of districts in this Article 2, as regulated herein and elsewhere in this Code.
 2. Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.
 3. Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.
 4. Special uses, permitted in Neighborhood Commercial Special Use Districts, when authorized by the Zoning Administrator or the City Planning Commission, where listed for that class of districts in this Article 2 and as regulated herein and elsewhere in this Code.
- (b) Permitted uses shall include in each established district such uses not specifically listed in this Article 2 as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.
- (c) No use shall be permitted in any R district, C district ((or)), M-1, HSL, SLI, or SSO district which by reason of its nature or manner of operation creates conditions that ~~are~~ are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.
- (d) Except as specifically provided herein to the contrary, the provisions of this Article 2 shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco.

SEC. 205. TEMPORARY USES, GENERAL.

- (a) The temporary uses listed in Sections 205.1 ((and)) through 205.((2)) 3, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 ((and)) through 205.((2)) 3.
- (b) Action upon such uses shall be by the City Planning Commission, subject to all the requirements for conditional uses in Sections 303 and 306 through 306.5 of this Code; except that uses listed in Section 205.1, and uses listed in Section 205.2 if located in a C or M district, and uses listed in Section 205.3 within the South of Market districts, may be authorized by the Zoning Administrator without a public hearing and without a fee being charged.
- (c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such date, such use may be continued for the maximum term specified therefor, calculated from said effective date or date of authorization. No such use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

Sec. 205.1. Temporary Uses: Sixty Day Limit. A temporary use may be authorized for a period not to exceed sixty (60) days for any of the following uses:

- (a) Neighborhood carnival, exhibition, celebration or festival sponsored by an organized group of residents in the vicinity;
- (b) ~~Booth~~ for charitable, patriotic or welfare purposes;
- (c) Open-air sale of agriculturally produced seasonal decorations, including, but not necessarily limited to, Christmas trees and Halloween pumpkins.

Sec. 205.2. Temporary Uses: Two Year Limit. A temporary use may be authorized for a period not to exceed two years for any of the following uses:

- (a) Temporary structures and uses incidental to the construction of a group of buildings on the same or adjacent premises;
- (b) Rental or sales office incidental to a new residential development, not including the conduct of a general real estate business; provided, that it be located within the development, and in a temporary structure or in part of a dwelling.

Section 205.3

Temporary Uses: 24 Hour Limit. Within the South of Market districts, a temporary use may be authorized for a period not to exceed 24 hours up to 12 times per applicant during a 12-month period for any of the following uses:

- (a) A performance, exhibition, dance, celebration or festival sponsored by an organized group of residents and/or business operators in the neighborhood; or
- (b) A dance or party requiring a liquor license or city permit, art exhibit, or performance, in each case if sponsored by residential or commercial tenants or owner-occupants of the property or structure in which the temporary use is authorized.

SEC. 209.2 ~~Other Housing.~~

(a) Group housing, boarding: providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity and sorority house but shall not include group housing for religious orders or group housing for medical and educational institutions, whether on a separate lot or part of an institution, as defined and regulated by this Code. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(b) Group housing, religious orders: providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such housing is for members of a religious order calling for collective work or worship and is not defined as, or on the same lot as, a religious institution as defined and regulated by Section 209.3(j) of this Code. Such housing shall include but not necessarily be limited to a monastery, nunnery, convent and ashram. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(c) Group housing, medical and educational institutions: ~~providing~~ lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such facility is affiliated with and operated by a medical or educational institution as defined and regulated by Sections 209.3(a), (g), (h) and (i) of this Code but not located on the same lot as such institution and not used for in-patient care. Such housing shall meet the applicable provisions of Section 304.5 of this Code concerning institutional

HH-1 (D)
HH-1
HH-1 (S)
HH-2
HH-3
HM-1
HM-2
HM-3
HM-4
HC-1
HC-2
HC-3
HC-4

master plans. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(d) Hotel, inn or hostel containing no more than five rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient overnight guests((.)), provided that no such use shall be permitted in any South of Market district. A hotel, inn or hostel shall not include a motel as defined and regulated by Section 216(c) of this Code.

(e) Hotel, inn or hostel as specified in Subsection 209.2(d) above but with six or more guest rooms or suites, provided that no such use shall be permitted in any South of Market district.

(f) Temporary shelter programs providing lodging for up to 24 hours at a time per individual, or other similar arrangements, in a space not defined by this Code as a dwelling unit, when located within any South of Market district.

RM-1 (D)	RM-1	RM-1 (S)	RM-2	RM-3	RM-1	RM-2	RM-3	RM-4	HC-1	HC-2	HC-3	HC-4
			C	C	C	C	C	C	P	P	P	P
									C	C	C	C
												C

Sec. 209.7. Vehicle Storage and Access.

(a) Community garage, confined to the storage of private passenger automobiles of residents of the immediate vicinity, and meeting the requirements of Article 1.5 of this Code.

(b) Access driveway to property in C or M district, or any South of Market district, or to property in an R district in which the permitted dwelling unit density is greater than that permitted in the district where the driveway is located, provided that a solid fence, solid wall, or compact evergreen hedge, not less than six feet in height, is maintained along such driveway to screen it from any adjoining lot in any R district. Such driveway shall meet the applicable requirements of Article 1.5 of this Code.

(c) Off-street parking facility to serve a use permitted in any R district, when such parking is not classified as accessory parking for such use, under the provisions of Section 204.5 of this Code, in terms of its location and amount. Such parking shall meet, where applicable, the requirements of Section 156 for parking lots, Section 159 for parking not on the same lot as the building or use served, and the other provisions of Article 1.5 of this Code. In considering any application for a conditional use for such parking where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5, the City Planning Commission shall consider the criteria set forth in Sections 157 of this Code.

HO-1 (D)	HO-1	HO-1 (S)	HO-2	HO-3	HM-1	HM-2	HM-3	HM-4	HO-1	HO-2	HO-3	HO-4
C	C	C	C	C	C	C	C	C	C	C	C	C
C	C	C	C	C	C	C	C	C	P	P	P	P
C	C	C	C	C	C	C	C	C	C	C	C	C

(a) Retail, personal service or other commercial establishment permitted as a principal use in a C-1 district, which is located within or below the ground story of a building; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

(b) Retail, personal service or other commercial establishment permitted as a principal use in a C-1 district, which is located in a building above the ground story; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

(c) Retail, personal service or other commercial establishment permitted as a principal use in a C-2 district, which is located within or below the ground story of a building; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle((.)); provided that no nighttime entertainment use, office use or movie theater shall be permitted in any South of Market R district other than an RC-2 district, within which office activity shall be a permitted use.

(d) Retail, personal service or other commercial establishment permitted as a principal use in a C-2 district, which is located in a building above the ground story; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle((.)); provided that such uses shall be permitted, not conditional, in the South of Market RC-4 district; and further provided that no nighttime entertainment use, office use or movie theater shall be permitted in any South of Market R district other than an RC-2 district, within which office activity shall be a permitted use.

RH-1 (D)
RM-1
RH-1 (S)
RM-2
RM-3
RM-1
RM-2
RM-3
RM-4
RC-1
RC-2
RC-3
RC-4

[illegible][illegible][illegible]

See Sections 205 through 205.((2))C

P P P P

C C C C C C C C C

[illegible]

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SEC. 210. — DESCRIPTION AND PURPOSE OF COMMERCIAL AND INDUSTRIAL DISTRICTS. The following statements of description and purpose outline the main functions of the C (Commercial), ((and)) M (Industrial), HSL, SLI and SSO districts in the zoning plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code. The emphasis, in the case of these districts, is upon the allocation of adequate areas in proper locations for the carrying on of business and industry to serve city, regional and national needs and provide San Francisco with a sound and growing economic base. In the HSL, SLI and SSO districts, this emphasis is complemented by an emphasis on maintaining existing diversity of uses and encouraging live/work units, the arts and, within the HSL district, dwelling units.

Sec. 210.7. Housing/Service/Light Industrial District.

The Housing/Service/Light Industrial District (HSL) is designed to maintain and facilitate the growth and expansion of small scale light industrial, home and business service, wholesale distribution, arts-related production and performance/exhibition activities, live/work use, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing and live/work space at a scale and density compatible with the existing neighborhood.

Section 210.8. Service/Light Industrial District (SLI). This district is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts-related uses and other light industrial activities and, while protecting existing dwelling units, would prohibit the development of new dwelling units.

Section 210.9. Service/Secondary Office District (SSO).

This district is designed to accommodate small scale light industrial, home and business service, nighttime entertainment and arts-related uses, live/work units, and present and anticipated demand for small scale, low-cost professional office space and low-cost, large-floor-plate "back office" space, and, while protecting existing dwelling units, would prohibit the development of new dwelling units.

SEC. 212. ADDITIONAL REQUIREMENTS FOR USES IN CERTAIN C, ~~((AND))~~ M, AND SOUTH OF MARKET DISTRICTS. In the following C, ((and)) M, and South of Market districts, the permitted uses indicated in Sections 215 through 227 shall be subject to the additional requirements contained in this Section 212.

(a) In C-1 and C-2 districts, all permitted uses, and all storage, servicing, fabricating, processing or repair uses accessory thereto, shall be conducted within enclosed buildings, with the exceptions of those uses indicated by an asterisk (*) in the column for the district, and with the exception, also, of the following accessory uses where permitted:

1. Accessory off-street parking and loading areas.
2. Accessory outdoor dining areas.
3. Accessory recreation areas.

(b) In C-1, C-3-0, C-3-R and C-3-G districts, no permitted use shall include an establishment of the "drive-in" type, serving customers waiting in parked motor vehicles, with the exception of automobile service stations and automobile washes where permitted.

(c) In the C-3-R district, along any block frontage that is entirely within such district or partly in such district and partly in the C-3-0 district, where such block frontage faces a street 40 feet or more in width, the following requirements shall apply to assure continuity of retail and consumer service uses:

1. Only those permitted uses listed in Sections 218 and 227 shall be located facing such street in the ~~ground~~ story of any building. At least one-half the total width of any new or reconstructed building, parallel to and facing such street, shall be devoted at the ground story to entrances, show windows or other displays of such uses.

2. All other permitted uses shall be located either on stories above or below the ground story or at a distance ~~of~~ not less than 20 feet behind the front of ~~the~~ building at the ground story. No more than one-third the width of any lot, parallel to and facing such street, shall be devoted to entrances to such other permitted uses.

(d) No use listed as permitted in any C, ((district or)) M-1, or South of Market district shall include any use that is hazardous, noxious or offensive for reasons described in Section 202(c) of this Code.

(e) In C-3 districts, all demolitions of residential buildings and all conversions to non-residential use of residential uses above the ground floor shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition or conversion, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the adverse impact on the public health, safety and general welfare of the loss of housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied.

(f) Within the South of Market SSO District, nighttime entertainment activity shall not be allowed except on conditions which, in the judgment of the City agency, board or commission which last exercises jurisdiction to apply this Code to a proposed nighttime entertainment use, are reasonably calculated to insure that patrons of the establishment maintain the quiet, safety, and cleanliness of the premises and the vicinity of the use.

SEC. 215. DWELLINGS.

(a) Dwelling at a density ratio not exceeding the number of dwelling units permitted in the nearest R district, with the distance to such R district measured from the mid-point of the front lot line or from a point directly across the street therefrom, whichever permits the greater density; provided, that the maximum density ratio in a C-1, C-2, M-1 or M-2 district shall in no case be less than for an RM-1 district, the maximum density ratio in a C-3 or C-M district shall in no case be less than for an RM-4 district, and the maximum density ratio in a C-3 district shall in no case be less than one dwelling unit for each 125 square feet of lot area. The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in C and M districts, except that any remaining fraction of one-half or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.

(b) Dwelling at a density ratio greater than that set forth in Subsection (a), to be determined by the City Planning Commission pursuant to Sec. 303(c) of this Code.

(c) Mobile home park for house trailers, motor homes, campers and similar vehicles or structures used for dwelling purposes. Each vehicle or structure in any such park shall be regulated by this Code in the same manner as a dwelling unit.

(d) Dwelling at a density ratio of one dwelling unit for each 200 square feet of lot area.

C-1	C-2	C-3-0	C-3-H	C-3-G	C-3-S	C-M	M-1	M-2	U-1-S1	U-1	U-2-S0
P	P	P	P	P	P	C	C	C			
		C	C	C	C						
						C	C	C			
									P		

SEC. 216. OTHER ~~HOUSING~~.

- (a) Group housing, providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity or sorority house, monastery, nunnery, convent or ashram. It shall also include group housing affiliated with and operated by a medical or educational institution, when not located on the same lot as such institution, which shall meet the applicable provisions of Section 304.5 of this Code concerning institutional master plans. The density limitations for all group housing described in this subsection shall be based upon the density limitations for group housing in the nearest R district, following the same rules as those set forth in Section 215(a) of this Code for dwelling unit densities in C and M districts.
- (b) Hotel, inn or hostel containing rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient overnight guests. A hotel, inn or hostel shall not include a motel as described in Subsection 216(c) below:
- (i) ~~200 rooms~~ or less.
- (ii) **More** than 200 rooms.
- (c) Motel, including an auto court, motor lodge, tourist court or other facility similarly identified, containing rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient guests traveling

C-1	P
C-2	P
C-3-O	P
C-3-R	P
C-3-G	P
C-3-S	C
C-M	C
M-1	C
M-2	C
HSL	C
SU	C
SSO	C

by automobile, and where each sleeping unit is independently accessible from the outside; provided, that the entrance to such motel is within 200 feet of and immediately accessible from a major thoroughfare as designated in the Master Plan.

(d) Motel, as described in Subsection 216(c) above but without restriction as to location of its entrance.

(e) Temporary shelter programs providing lodging for up to 24 hours at a time per individual, or other similar arrangements, in a space not defined by this Code as a dwelling unit.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	UHSI	USII	USO
	P		P	P	P	C	C		C	C	C

SEC. 217.

INSTITUTIONS

- (a) Hospital, medical center or other medical institution which includes facilities for in-patient care and may also include medical offices, clinics, laboratories, and employee or student dormitories and other housing, operated by and affiliated with the institution, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.
- (b) Residential care facility providing lodging, board and care for a period of 24 hours or more to persons in need of specialized aid by personnel licensed by the State of California. Such facilities shall include but not necessarily be limited to a board and care home, family care home, long-term nursery, orphanage, rest home or home for the treatment of addictive, contagious or other diseases or psychological disorders.
- (c) Clinic primarily providing outpatient care in medical, psychiatric or other healing arts and not a part of a medical institution as specified in Subsection 217(a) above.
- (d) Philanthropic facility providing assistance of a charitable or public service nature.

C-1	C-2	C-3-O	C-3-H	C-3-G	C-3-S	C-M	M-1	M-2	I-151	I-151	I-230
C	C	C	C	C	C	C	C				
P	P	P	P	P	C	P	P		C	C	C
P	P	P	P	P	P	P	P	P	C	C	C
P	P	P	P	P	P	P	P	P	C	C	C

- (e) ~~Child care~~ facility providing less than 24-hour care for children by licensed personnel and meeting the open-space and other requirements of the State of California and other authorities.
- (f) Elementary school, either public or private. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution.
- (g) Secondary school, either public or private, other than a school having industrial arts as its primary course of study. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution.
- (h) Post-secondary educational institution for the purposes of academic, professional, business or fine-arts education, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans. Such institution may include ~~employee~~ or student dormitories and ~~other~~ housing operated by and affiliated with the institution. Such institution shall not have industrial arts as its primary course of study.
- (i) Secondary or post-secondary educational institution, other than as specified in Subsection 217(g) and (h) above.
- (j) Church or other religious institution. Such institution may include, on the same lot, the housing of persons who engage in supportive activity for the institution.

[illegible]

SEC. 218.

RETAIL SALES AND PERSONAL SERVICES.

The uses specified in this section shall not include any use first specifically listed in a subsequent section of this Code.

(a) Retail business or personal service establishment, of a type which supplies new commodities or offers personal services primarily to residents in the immediate vicinity.

(b) Retail business or personal service establishment not limited to sales or services primarily for residents in the immediate vicinity, and not restricted to sale of new commodities.

SEC. 218.1

MESSAGE ESTABLISHMENTS.

Message establishments as defined by Section 2700 of Part II, Chapter VIII of the San Francisco Municipal Code (Police Code), provided that the use is so located that the premises upon which it is conducted are not less than 1,000 feet from the premises of any other massage establishment; except that such proviso shall not apply where massage services are incidental to the institutional uses permitted in Sections 217(a) through (c) or to the use by an individual member of the facilities of a health club, gymnasium or other facility with a regular membership which health club, gymnasium or other facility is used primarily for instruction and training in body building, exercising, reducing, sports, dancing or similar physical activities.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	HSE	SI	SSO
P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	P	P	P	P	P	P	P	P	P	P	P
	P	P	P	P	P	P	P	P	P	P	P

SEC. 219.

OFFICES.

- (a) Professional and business offices not more than 5,000 gross square feet in size and offering on-site services to the general public.
- (b) Professional and business offices larger than 5,000 gross square feet in size and offering on-site services to the general public.
- (c) Other professional and business offices above the ground floor. In the C-3-R district, in addition to the criteria set forth in Section 303, approval shall be given upon a determination that the use will not detract from the district's primary function as an area for comparison shopper retailing and direct consumer services.
- (d) Other professional and business offices at or below the ground floor.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	UHSI	USI	USO
P	P	P	P	P	P	P	P	P			P
P	P	P	C	P	P	P	P	P			P
P	P	P	C	P	P	P	P	P			P
P	P	C		C	C	P	P	P			P

SEC. 220.

LAUNDERING, CLEANING AND PRESSING.

(a) Automatic laundry, as defined in Part II, Chapter V (Health Code) of the San Francisco Municipal Code.

(b) Establishment for hand ironing only, not employing more than five persons.

(c) Dry cleaning establishment, including pressing and other miscellaneous processing of clothes, where no portion of a building occupied by such use shall have any ventilating flue, exhaust pipe or other opening except fixed windows and exits required by law within 50 feet of any lot in any R district, and where:

1. The establishment has only a central cleaning unit with a rated load factor of no more than 40 pounds and operated by employees of the establishment; or,
2. The dry cleaning is done by the customer using self-service cleaning units or equivalent equipment, where the total number of units does not exceed eight and
 - their total aggregate
 - capacity does not exceed 40 cubic feet; or,
3. The establishment is a combination of the two foregoing types, with a central cleaning unit with a rated load factor of no more than 40 pounds, and no more than four self-service units the aggregate capacity of which shall not exceed 20 cubic feet.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	HSI	SHI	SSO
P	P	P	P	P	P	P	P	P	P	P	P
		P	P	P	P	P	NA	NA	P	P	P
P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

(d) Dry cleaning establishment, including pressing and other miscellaneous processing of clothes, where no portion of a building occupied by such use shall have any ventilating flue, exhaust pipe or other opening except fixed windows and exits required by law within 50 feet of any lot in any R district, and where:

1. The establishment has only a central cleaning unit with a rated load factor of no more than 60 pounds and operated by employees of the establishment; or,
2. The dry cleaning is done by the customer using self-service cleaning units or equivalent equipment where the total number of units does not exceed 16 and their total aggregate capacity does not exceed 80 cubic feet; or,
3. The establishment is a combination of the two foregoing types, with a central cleaning unit with a rated load factor of no more than 60 pounds, and no more than eight
— self-service units the
— aggregate capacity of which shall not exceed 40 cubic feet.

(e) Steam laundry, when conducted within a completely enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 50 feet of any Residential Zone.

C-1	
C-2	P
C-3-O	P
C-3-R	P
C-3-G	P
C-3-S	P
C-M	P
M-1	NA
M-2	NA
ISSI	NA
SLI	NA
SSO	NA

(f) Cleaning or dyeing plant, when conducted within a completely enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 50 feet of any R district.

(g) Bag, carpet or rug cleaning, when conducted within a completely enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 50 feet of any R district.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
							P	P	P	P	P
							P	P	P	P	P

Sec. 221. ASSEMBLY AND ENTERTAINMENT.

(a) Club house.

(b) Lodge building.

(c) Meeting hall.

(d) Theatre, except as specified under Subsection (k), below.

(e) Recreation building.

(f) Amusement enterprise, including billiard hall, dance hall, night club, other nighttime entertainment uses, bowling alley, skating rink, shooting gallery, when conducted within a completely enclosed building; provided, (1) that incidental noise is reasonably confined to the premises by adequate sound-proofing or other device, and (2) that no portion of a building occupied by such use shall have any opening, other than fixed windows and exits required by law, within 50 feet of any R district.

(g) Private non-commercial recreational open use.

(h) Amusement park, and related commercial amusement enterprises not conducted in completely enclosed buildings; provided, that the use lawfully existed at the effective date of this Code, or is so located that (1) the premises are not less than 200 feet from any R district, and (2) the aggregate area in the same or adjoining blocks occupied by existing amusement enterprises is in excess of five acres.

(i) ~~Commercial~~ open-air sports stadium or arena, if conducted on premises not less than 200 feet from any R district.

(j) Circus, carnival, or other amusement enterprise not conducted within a building, if conducted on premises not less than 200 feet from any R district.

C-1	C-2	C-3-O	C-3-H	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P
	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P			P
	P	P	P	P	P	P	P	P			P
P	P			P	P	P	P	P	P	P	P
	P						NA	NA	NA		
						C	P	P	P		
						C	P	P	P		

(k) Adult entertainment enterprise, as specified in (i), (ii) and (iii) below, provided that the use is so located that the premises upon which it is conducted are not less than 1,000 feet from the premises of any other adult entertainment enterprise: (i) Adult bookstore, as defined by Section 791 of Part II, Chapter VIII of the San Francisco Municipal Code (Police Code); (ii) Adult theater, as defined by Section 791 of Part II, Chapter VIII of the San Francisco Municipal Code (Police Code); (iii) Encounter studios, as defined by Section 1072.1 of Part II, Chapter VIII of the San Francisco Municipal Code (Police Code).

(l) Arts-related activities not included above, or elsewhere in Sections 215 through 227.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
P	P	P	P	P	P	P	P				
NA	NA	NA	NA	NA	NA	NA	NA	NA	P	P	P

SEC. 222.

HOME AND BUSINESS SERVICES.

The term "shop" as used in this section shall include only the establishments of artisans dealing at retail directly with the consumer and concerned primarily with custom trade.

	C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
(a) Household repair shop.		P	P	P	P	P	P	P	P	P	P	P
(b) Interior decorating shop.		P	P	P	P	P	P	P	P			P
(c) Upholstering shop.		P	P	P	P	P	P	P	P	P	P	P
(d) Sign painting shop.		P	P	P	P	P	P	P	P	P	P	P
(e) Carpenter shop.		P			P	P	P	P	P	P	P	P
(f) Office of a building, plumbing, electrical, painting, roofing, furnace or pest control contractor, including storage of incidental equipment and supplies entirely within the same building, where provision is also made entirely within the structure for parking, loading and unloading of all vehicles used. (See also Section 225.)		P			P	P	P	P	P	P	P	P
(g) Catering establishment		P	P	P	P	P	P	P	P	P	P	P
(h) <u>Printing shop or, within any South of Market district, graphic artist studio.</u>		P	P	P	P	P	P	P	P	P	P	P
(i) Newspaper publication.		P	P	P	P	P	P	P	P	P	P	P
(j) Blueprinting shop.		P	P	P	P	P	P	P	P	P	P	P

SEC. 223.

AUTOMOTIVE.

- (a) Sale or rental of new or used automobiles, when conducted entirely within an enclosed building.
- (b) Sale or rental of new or used trucks, when conducted entirely within an enclosed building.
- (c) Lot for sale or rental of new or used automobiles.
- (d) Lot for sale or rental of new or used trucks.
- (e) Sale or rental of new or used automobile trailers.
- (f) Automobile service station for the sale and dispensing of gasoline, other motor fuels and lubricating oil directly into motor vehicles. The following activities shall be permitted at such a service station if normally conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R district:
 - 1. The sale and dispensing of greases and brake fluids, including motor vehicle lubrication; and the sale or installation of tires, batteries and other accessories;

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	UHSI	USI	USSO
	P	P	P	P	P	P	P	P			
	P			P	P	P	P	P			
	C			C	C	P	P	P			
	C			C	C	P	P	P			
	C			C	C	P	P	P			
P	NA			NA	NA	NA	NA	NA	NA	NA	NA

4. Muffler exchange, with no open flame or torch;
5. ~~Wheel~~ balancing and alignment;
6. Wheel bearing and seals replacement;
7. Replacement of universal joints;
8. Radiator mounting and dismounting, with repairs done elsewhere;
9. Clutch adjustments;
10. Repair or replacement of water pumps;
11. Repair or replacement of generators, alternators and voltage regulators;
12. Repair or replacement of starters;
13. Repair or replacement of fuel pumps;
14. Such other repairs as may be designated by the Chief of the San Francisco Fire Department as minor repairs under Paragraph 8.09(a)(5)(o) of Part II, Chapter IV (Fire Code) of the San Francisco Municipal Code.

(h) Repair garage for minor automobile repairs, limited to those repairs and other activities permitted at an automobile service station as described above, and in addition the following minor automobile repairs; all such repairs and other activities shall be conducted entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of any R district.

C-1	
C-2	
C-3-O	P
C-3-R	
C-3-G	
C-3-S	P
C-M	P
M-1	P
M-2	P
HSI	<u>P</u>
SI	<u>P</u>
SSO	<u>P</u>

other provision of this Code; but ~~the~~ foregoing provisions shall not preclude the imposition of any additional conditions pursuant to Section 303 of this Code.

- (k) Tire recapping, if conducted on premises not less than 200 feet from any R district.
- (l) Parking lot, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code.
- (m) Storage garage open to the public for passenger automobiles, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code, where such storage garage is not a public building requiring approval by the Board of Supervisors under other provisions of law and is completely enclosed.
- (n) Storage garage open to the public for passenger automobiles, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code, where such storage garage is not a public building requiring approval by the Board of Supervisors under other provisions of law and is not completely enclosed.
- (o) Storage garage open to the public for passenger automobiles, as regulated in Sections 155, 156 and 157 and other provisions of Article 1.5 of this Code, where such storage garage is a public building requiring approval by the Board of Supervisors under other provisions of law.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	HSI	SI	SSO
					P	P	P	P	P	P	P
C*	P*				C	P	P	P	P	P	P
C	P	C	C	C	C	P	P	P	P	P	P
C*	C*	C	C	C	C	P	P	P	P	P	P
P*	P*	P	P	P	P	P	P	P	P	P	P

	C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
(p) Major (non-accessory) parking garage not open to the public, as defined in Section 158 and as regulated therein and in Sections 155 and 157 and other provisions of Article 1.5 of this Code.	C	P	C	C	C	C	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>
(q) Parcel delivery service, limited to facilities for the unloading, sorting and reloading of local retail merchandise for home deliveries, where the operation is conducted entirely within a completely enclosed building; including garage facilities for local delivery trucks, but excluding repair shop facilities.		C	C	C	C	NA	NA	NA	NA	<u>NA</u>	<u>NA</u>	<u>NA</u>
(r) Parcel delivery service, not subject to the above limitations.						P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>
(s) Ambulance service.		C			C	P	P	P	P		<u>P</u>	
(t) Storage garage for commercial passenger vehicles and light delivery trucks.					C	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>
(u) Storage yard for commercial vehicles or trucks, if conducted within an area completely enclosed by a wall or concealing fence not less than <u>six</u> feet high.					C	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u>
(v) Truck terminal facility, if located not less than 200 feet from any R District.								C	C		<u>P</u>	

SEC. 224.

ANIMAL SERVICES.

- (a) Animal hospital or clinic, if conducted entirely within an enclosed building; not including a commercial kennel as specified below.
- (b) Animal hospital or clinic, if conducted on premises not less than 200 feet from any R district.
- (c) Commercial kennel, if conducted on premises not less than 200 feet from any R district. A commercial kennel shall mean any commercial or business premises or other premises where dogs are boarded for compensation or are cared for or trained for hire or are kept for sale or bred for sale, where the care, breeding or sale of the dogs is the principal means of livelihood of the occupants of the premises.
- (d) Riding academy or livery stable, if conducted on premises not less than 200 feet from any R district.

[illegible]

SEC. 225. WHOLESALE, STORAGE, DISTRIBUTION
AND OPEN-AIR HANDLING OF MATERIALS AND EQUIPMENT.

(a) Storage building for household goods.

(b) Wholesale establishment when conducted entirely within an enclosed building, not including a storage warehouse.

(c) Wholesale storage warehouse, except for storage of inflammables.

(d) Bulk storage of inflammable or highly combustible materials.

(e) Bulk storage of explosives.

(f) Cold storage plant, when conducted within a completely enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 50 feet of any R district.

(g) Grain elevator.

(h) Dairy products distribution plant, where provision is made for off-street parking of all vehicles used, and all operations including loading and unloading are conducted entirely within an enclosed buildings. (See also Section 226.)

(i) Lot for sale of new or used merchandise, not including any use first specifically listed below.

(j) Service yard for public utility, or public use of a similar character, if conducted entirely within an area completely enclosed by a wall or concealing fence not less than six feet high.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-SL	U-SI	U-SO
	C		C	C	P	P	P	P	P	P	P
		P	P	P	P	P	P	P	P	P	P
					P	P	P	P	P	P	P
								P			
								C			
							P	P	P	P	P
								P			
					C	C	MA	MA	P	P	P
						P	P	P		P	
						P	P	P	P	P	P

(k) Contractor's storage yard or yard for rental of contractors' equipment if conducted within an area enclosed by a wall or concealing fence not less than six feet high.

(l) Yard for storage or sale of building materials or lumber, livestock feed, or coal, if conducted within an area enclosed by a wall or concealing fence not less than six feet high.

(m) Stone or monument yard, if conducted within an area enclosed by a wall or concealing fence not less than six feet high.

(n) Storage within a completely enclosed building of junk, waste, second hand, discarded or salvaged materials, excluding automobile wrecking operations as defined in this Section 225; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 50 feet of any R district.

(o) Junk yard, which shall mean an outdoor space where junk, waste, discarded or salvaged materials are stored or handled, including house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; excluding automobile wrecking operations as defined in this Section 225, yards or establishments for the sale, purchase or storage of used cars or machinery in operable condition, and the processing of used, discarded or salvaged materials as part of a permitted manufacturing operation in the same premises.

(p) Automobile wrecking operation; provided, (1) that there shall be sufficient working space on the property to permit proper functioning of the operation without use of any public right-of-way for storage of inoperable vehicles or parts, and (2) that the operation shall be clearly separated from adjacent properties and public rights-of-way. No automobile wrecking operation lawfully existing at the effective date hereof shall be continued more than three years from said date unless a conditional use authorization for such operation has been granted pursuant to this code; provided, however, that no such automobile wrecking operation eligible for governmental payment to assist relocation shall be continued more than one and one-half years from said effective date unless a conditional use authorization for such operation

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	ISI	SII	SSO
							P	P	P	P	P
							P	P		P	
							P	P		P	
							P	P		P	
								P			
							C	C			

has been granted pursuant to this Code. The term "automobile wrecking operation" as used herein shall mean the disassembling, dismantling, junking or "wrecking" of motor vehicles of any type, or the storage of such vehicles not in operable condition.

C-1	
C-2	
C-3-O	
C-3-R	
C-3-G	
C-3-S	
C-M	
M-1	
M-2	
HSI	
SI	
SSO	

SEC. 226. MANUFACTURING AND PROCESSING.

(a) Light manufacturing uses, involving only the assembly, packaging, repairing or processing of previously prepared materials, which are conducted within a building but do not occupy the ground story of any building; provided, (1) that no part of a building so occupied shall have any opening, other than fixed windows and exits required by law, within 50 feet of any R district; (2) that the mechanical equipment required for such uses, together with related floor space used primarily by the operators of such equipment, shall not in the aggregate occupy more than 1/4 of the gross floor area of the building in which the uses are located; and (3) that no machine shall be used that has more than five horsepower capacity.

(b) Light manufacturing which occupies not more than 1/2 the ground story of the building and involves or requires no machine that has more than five horsepower capacity, if conducted entirely within an enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows and exits required by law, within 20 feet of any R district.

(c) Light food processing for delicatessen, catering or restaurant supply, if conducted entirely within an enclosed building; provided, that no part of a building so occupied shall have any opening, other than fixed windows or exits required by law, within 20 feet of any R district.

(d) Light manufacturing, not including any use first specifically listed below.

(e) Industrial or chemical research or testing laboratory, not involving any danger of explosions.

(f) Experimental laboratory.

(g) Battery manufacture, if conducted on premises not less than 200 feet from any R district.

(h) Metal working or blacksmith shop; excluding presses of over 20 tons capacity and machine operated drop hammers;

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
		P	P	P	P	P	NA	NA	NA	NA	NA
					P	P	NA	NA	NA	NA	NA
					P	P	NA	NA	NA	NA	NA
							P	P	P	P	P
		P	P	P	P	P	P	P	P	P	P
					C	C	P	P	P	P	P
							P	P	P	P	P
							P	P	P	P	P

(((j))) (k) Flour mill.

(((k))) (l) Sugar refinery.

(((l))) (m) Wool pulling or scouring.

(((m))) (n) Blast furnace, rolling mill, smelter.

(((n))) (o) Manufacture of corrosive acid or alkali, cement, gypsum, lime, plaster of paris, explosive, fertilizer, glue or gelatine from fish or animal refuse.

(((o))) (p) Production or refining of petroleum products.

(((p))) (q) Steam power plant.

(((q))) (r) Shipyard.

(((r))) (s) Live storage, killing or dressing of poultry or rabbits for retail sale on the premises, if conducted on premises not less than 200 feet from any R district.

(((s))) (t) Live storage, killing or dressing of poultry or rabbits, if conducted on premises not less than 200 feet from any R district, without limitation as to nature of sale.

(((t))) (u) Stockyard, livestock feed yard, abattoir.

(((u))) (v) Rendering or reduction of fat, bones or other animal material, where adequate provision is made for the control of odors through the use of surface condensers and direct flame afterburners or equivalent equipment.

(((v))) (w) Incineration of garbage, refuse, dead animals or parts thereof.

(((w))) (x) The following uses, when located not less than 500 feet from any R district:

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
								P			
								P			
								P			
								C			
								C			
								C			
								P	P		
								P	P		
							P	P	M		
									P		
									C		
								C	C		
									C		
								P			

SEC. 227. OTHER USES.

(a) Greenhouse or plant nursery.

(b) Truck gardening, horticulture.

(c) Mortuary establishment.

(d) Public structure or use of a nonindustrial character, when in conformity with the Master Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.

(e) Utility installation, public service facility, excluding service yard; provided that operating requirements necessitate location within the district.

(f) Public transportation facility, whether public or privately owned or operated, when in conformity with the Master Plan, and which does not require approval of the Board of Supervisors under other provisions of law, and which includes:

1. Off-street passenger terminal facilities for mass transportation of a single or combined modes including but not limited to aircraft, ferries, fixed-rail vehicles and buses when such facility is not commonly defined as a boarding platform, bus stop, transit shelter or similar ancillary feature of a transit system and

2. Landing field for aircraft.

(g) Public transportation facility, when in conformity with the Master Plan, other than as required in (f) of this section or as in Sections 223 and 226 of this Code.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
P	P				P	P	P	P	P	P	P
P	P					P	P	P			
	C			C	C	P	P	P			
P	P	P	P	P	P	P	P	P	P	P	P
P	P	C	C	P	P	P	P	P	P	P	P
C	C	C	C	C	C	C	C	C	C	C	C
C	C	C	C	C	C	C	P	P	P	P	P

(h) ~~Commercial~~ wireless transmitting, receiving or relay facility, including towers, antennae, and related equipment for the transmission, reception, or relay of radio, television, or other electronic signals where:

1. No portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article 2.5 of this Code, whichever is the lesser height; and
2. Such facility, if closer than 1,000 feet to any R district (except for those R districts entirely surrounded by a C-3, M or a combination of C-3 and M districts), does not include a parabolic antenna with a diameter in excess of three meters or a composite diameter or antennae in excess of six meters. (See also Section 204.3.)

(i) Commercial wireless transmitting, receiving, or relay facility as described in Subsection 227(h) above, where:

1. Any portion of such facility exceeds a height of 25 feet above the roof line of the building on the premises or above the ground if there is no building, or 25 feet above the height limit applicable to the subject site under Article 2.5 of this Code, ~~whichever~~ is the lesser height; or
2. Such facility, if closer than 1,000 feet to any R district (except for those R districts entirely surrounded by a C-3, M or combination of C-3 and M districts), includes a parabolic antenna with a diameter in excess of three meters or a composite site diameter of antennae in excess of six meters. (See also Section 204.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	U-1	U-2	U-3
P	P	P	P	P	P	P	P	P	P	P	P
C	C	C	C	C	C	C	C	C	C	C	C

(j) Sale or lease sign, as defined and regulated by Article 6 of this Code.

(k) General advertising sign, as defined and regulated by Article 6 of this Code.

(l) Access driveway to property in any C or M district.

(m) Planned Unit Development, as defined and regulated by Section 304 and other applicable provisions of this Code.

(n) Any use that is permitted as a principal use in any other C or M district without limitation as to enclosure within a building, wall or fence.

(o) Temporary uses, as specified in and regulated by Sections 205 through 205.((2))3 of this Code. *See Section 212(a).

(p) Any use which is a principal or conditional use within the SSO district, except a nighttime entertainment use, when located in a structure which has been designated as a landmark pursuant to Article 10 of this Code, provided that, in addition to the criteria described in Section 303(c) for the granting of conditional uses, it is determined that allowing the use is essential to the feasibility of retaining and preserving the landmark.

No application for a conditional use under this provision shall be accepted for filing until a period of 180 days shall have elapsed after designation of the landmark.

(q) Live/work units, provided that each non-residential use within the unit is one permitted in the district in question without regard to this subsection.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	SSO	SSO	SSO
P	P	P	P	P	P	P	P	P	P	P	P
	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P
C	C					C	C	C	C	C	C
							P				
See Sections 205 through 205.((2)) <u>3</u>											
									C	C	MA
									P	P	P

SEC. 232.DEMOLITION OR CONVERSION OF DWELLING UNITS IN SOUTH OF MARKET DISTRICTS.

Demolition, or conversion to any other use, of a dwelling unit, or any portion thereof, in any South of Market district shall be allowed only if approved as a conditional use pursuant to Section 303 of this Code, notwithstanding any other provision of this Code. Such approval may not be given for any conversion to use as a live/work unit. This provision shall extend to any premises whose current use is, or last use prior to a proposed conversion or demolition was, in fact as a dwelling unit, as well as any premises whose legal use as shown in the records of the Bureau of Building Inspection is that of a dwelling unit.

SEC. 234.1. Principal Uses Permitted, P Districts.

- (a) Structures and uses of governmental agencies not subject to regulation by this Code:
- (b) Public structures and uses of the City and County of San Francisco, and of other governmental agencies that are subject to regulation by this Code, when in conformity with the Master Plan and the provisions of other applicable codes, laws, ordinances and regulations.
- (c) Parking lot and garage uses listed in Sections 223(l), (m), (n), (o), (p), (t), (u), and (v) when located within any P district which is a South of Market district and within the right-of-way of any state or federal highway.
- (d) In any P district which is a South of Market district, if the use is located within the right-of-way of any state or federal highway:
 - 1. Retail and personal service uses such as shoe repair, grocery stores and other food markets, flower shops, video rental stores, laundromats and dry cleaning establishments without on-site plants, primarily meeting the needs of commuters on nearby streets and highways or persons who work or live nearby, provided that:
 - A. The space is located on the ground floor of a publicly-accessible parking garage ; and
 - B. the total gross floor area per establishment does not exceed 2,500 square feet; and
 - C. the space is located along frontage property of a major thoroughfare; and
 - D. the building facade incorporates sufficient fenestration and lighting to create an attractive urban design and pedestrian-oriented scale.
 - 2. Open-air sale of new or used merchandise located within a publicly-accessible parking lot, provided that:
 - A. The sale of goods and the presence of any booths or other accessory appurtenances are limited to weekend and/or holiday daytime hours; and
 - B. Sufficient off-street parking to accomodate all vendors and consumers is provided; and
 - C. Sufficient safety measures are taken to separate pedestrian and vehicular traffic and circulation systems; and

D. Sufficient numbers of publicly-accessible toilets and trash receptacles are provided on-site and are adequately maintained; and

E. The site and vicinity are maintained free of trash and debris.

((SEC. 246. INTERIM SOUTH OF MARKET INDUSTRIAL AND HOUSING CONSERVATION SPECIAL USE DISTRICT.

There shall be an interim South of Market Industrial and Housing Conservation Special Use District as designated on Section Map 1SUB of the Zoning Map. The original of said map is on file with the Clerk of the Board of Supervisors under File No. 162-83-5.1.

- (a) This special use district will be applicable until January 10, 1986.
- (b) Purpose. The interim controls for this industrial and housing conservation district covering the area, commonly known as South of Market, west of the Yerba Buena Center Redevelopment Area, are adopted to provide additional zoning safeguards during a comprehensive study and review process that will develop permanent districts and standards for this area of the City. These interim controls are found and declared to be necessary to fulfill the purposes of this Code set forth in Section 101 hereof, and to preserve the status quo while proposed amendments to the Master Plan and the City Planning Code are studied and formulated.
- (c) Controls.
 - 1. Notwithstanding the provisions of Section 124(f) of this Code, the basic floor area ratio limit shall be 2.0 to 1 for any office use.
 - 2. Notwithstanding the provisions of Section 151 of this Code, the minimum off-street parking requirements for offices shall be one off-street parking space for each 250 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. The exemption from off-street parking requirements in any C-3 district provided under Section 161(c) of this Code shall not be applicable to any portion of this special use district zoned C-3. No variance shall be granted for the number of off-street parking spaces for any office use.
- (d) The provisions of this section shall not apply to any projects for which a site permit was issued by the Central Permit Bureau on or before November 15, 1983.))

((SEC. 249. MID-SOUTH OF MARKET SPECIAL USE DISTRICT.

There shall be a special use district known as the Mid-South of Market Special Use District, as designated on Sectional Map Nos. 1SUC ~~and~~ 7SU of the Zoning Map, in which all the provisions of this Code governing the C-3-S district shall apply, except that the basic floor area ratio limit for any office use shall be 2.0 to 1, which limit may not be exceeded through transfer of TDR as otherwise allowed by Section 128. This limit on floor area ratio is the same as that imposed as part of the Interim South of Market Industrial and Housing Conservation Special Use District, as provided in Section 246 of this Code, which District is currently under study by the Department of City Planning. The adoption of this Section is not intended to repeal, modify, or supersede the provisions of Section 246.))

SEC. 260.

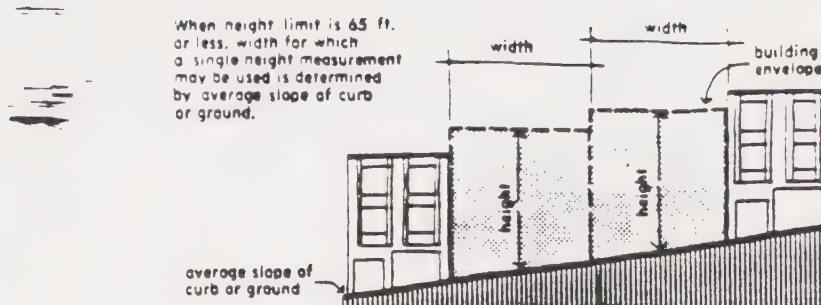
HEIGHT LIMITS: MEASUREMENT.

(a) Method of measurement. The limits upon the height of ~~buildings~~ and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

1. The point above which such measurements shall be taken shall be as specified in the definition of "height" in this Code.
2. The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form or any higher point of a feature not exempted under Subsection (b) below.
3. In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

Table 6
Height Measurement On Lateral Slopes
Where Height Limit Is 65 Feet Or Less

<u>Average Slope of Curb or Ground From Which Height is Measured</u>	<u>Maximum Width for Portion of Building that May Be Measured from a Single Point</u>
5 percent or less	No requirement
More than 5 percent but no more than 15 percent	65 feet
More than 15 percent but no more than 20 percent	55 feet
More than 20 percent but no more than 25 percent	45 feet
More than 25 percent	35 feet



- (b) Exemptions. In addition to other height exceptions permitted by this Code, the features listed in this subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.

1. The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)1 shall not exceed 20 percent of the horizontal area of the roof above which they are situated or, in C-3 districts and in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper tower; and provided further that in any R, RC-1, RC-2, RC-3, or RC-4 district the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)1 may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

As a further alternative within any South of Market district, additional building volume may be used to enclose or screen from view the features listed in this subsection (b)(1), provided that the total volume, including the volume of the features being enclosed, does not exceed three-fourths of all roof areas of the building times 16 where the height limit is more than 65 feet or times 10 when the height limit is 65 feet or less.

Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

- (A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.
- (B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.
- (C) Stage and scenery lofts.
- (D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.
- (E) In any C-3 district, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.
- (F) In any C-3 district, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times twenty.

- (G) In any C-3 district, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross section and 18 feet in diagonal dimension.
 - (H) In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.
 - (I) In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three-fourths of the horizontal area of all upper tower roof areas of the building measured times twenty.
2. The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed.
- (A) Railings, parapets and catwalks, with a maximum height of four feet.
 - (B) Open railings, catwalks and fire escapes required by law, wherever situated.
 - (C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.
 - (D) Enclosed seating areas limited to tables, chairs, benches, and related wind screens, lattices and awnings with a maximum height of 10 feet.
 - (E) Landscaping, with a maximum height of four feet and other features other than plant materials.

- (F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet(.), except that within the South of Market districts wherein unenclosed rooftop parking is not permitted pursuant to Section 155(q) of this Code, this height exemption shall not apply.
- (G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.
- (H) Flag poles and flags, clothes poles and clothes lines, and weather vanes.
- (I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses, subject to the limitations of subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.
- (J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.
- (K) Public monuments owned by government agencies.
- (L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.
- (M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by this Code.
- (N) Buildings, structures, and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

- (O) Enclosed recreational facilities up to a height of ten feet above the otherwise applicable height limit when located within both a South of Market SSO district and a 65-8 height and bulk district and when authorized by the City Planning Commission as a conditional use pursuant to Section 303 of this Code, provided that the project is designed in such a way as to reduce the apparent mass of the structure above a base 50 foot building height.

Section 263.11

Special Height Exceptions: South of Market RC-4 40-X/85-8 Height District.

- (a) General. In the 40-X/85-8 height and bulk district, as designated on Sectional Map No. 1H of the Zoning Map, located within the boundaries of the South of Market RC-4 District, height exceptions above the forty-foot base height to a maximum of 85 feet, may be approved in accordance with the conditional use procedures and criteria provided in Section 303 of this Code, and the criteria and conditions set forth in subsection (c) below.
- (b) Findings and Purposes. In this district, heights higher than 40 feet would allow the construction of additional dwelling or live/work units to serve housing and other needs in the City and would benefit the public, provided that the structure is designed to reduce shadows on public sidewalks and open spaces and adverse impacts on light and air to adjacent residential uses and on sunlight access to adjacent residential open spaces, to reduce adverse wind impacts to adjacent uses, to provide an appropriate height transition to adjacent higher or lower buildings, and to otherwise satisfy subsection (c) below and the conditional use criteria of this Code.
- (c) Conditions.
- (1) The City Planning Commission shall impose conditions on the approval of additional height pursuant to this subsection to mitigate the impact that such height may have on adjacent uses and property. Such conditions shall include, but not be limited to, the requirements of subsections (2) and (3) below.
- (2) Reduction of Shadows on Certain Public, Publicly Accessible, or Publicly Financed or Subsidized Private Open Spaces.
- (A) New buildings and additions to existing buildings shall be shaped to reduce substantial shadow impacts on public plazas, parks or other nearby publicly accessible or publicly financed private open spaces. The criteria set forth in Section 147 of this Code shall be used to assess the shadow impacts of new building development over forty feet in height.

- (B) To the extent that height above 40 feet on lots 14, 16, 18, 19, 20, 20A, 21, 22, 24, 25, 26, 28, 29, 30, 31, 34, 91 and 92 of Assessor's Block 3733 and on lots 14, 15, 17, 18, 19, 23, 24, 26, 27, 28, 32, 36 and 95 of Assessor's Block 3752 would create adverse impact on light and air to adjacent residential uses and/or sunlight access to residential open spaces, such additional height shall not be permitted.

(3) Reduction of Ground Level Wind Currents

The following additional setbacks shall apply to any structure receiving approval for additional height under this section:

- (A) New buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause ground level wind currents to exceed, more than 10% of the time year round, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements.

If it can be shown that a building or addition cannot be shaped or wind baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and/or it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial, an exception may be permitted, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount.

No exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

(B) For the purposes of this section, the term "equivalent wind speed" shall mean an hourly mean wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

(4) The City Planning Commission shall impose conditions on the approval of additional height pursuant to this subsection to assure housing affordability and the enforceability and enforcement of housing affordability and use provisions, which shall include, but need not be limited to, a requirement that each dwelling and live/work unit in an approved structure remain affordable to households whose incomes are not greater than 150 percent of the median income as defined herein, for a period of not less than 20 years from the date of the first recording of a deed of trust with respect to such unit in conformity with this subsection and Section 313(i). Such conditions shall incorporate the requirements of subsection (A), (B), and (C) below.

(A) The permit applicant shall designate newly-constructed dwelling and/or live/work units, which may be above or below the 40-foot base height limit, containing at least as much floor area as is permitted above the 40-foot base height, which shall be affordable to those households specified in the preceding subsection. Prior to the issuance by the Superintendent of the Bureau of Building Inspection of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.

(B) Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

(C) Each designated unit shall be subject to the provisions of Section 313(i) of this Code. For purposes of this section and the application of Section 313(i) to designated units constructed pursuant to this section, the definitions set forth in subsections 313(a)(2), (5), (6), (9), (11), (16), (20), (21), (22), (25) and (26) shall apply, together with the following definitions:

- (i) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code, Title 25, Section 6932, or its successor provision, on the date on which a unit is sold.
- (ii) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code, Title 25, Section 6932, or its successor provision, for a family of a size equivalent to the number of persons residing in a household renting a designated unit.
- (iii) "Designated unit" shall mean a dwelling or live/work unit identified and reported to the Director by the sponsor of a project subject to this subsection pursuant to subsection (c)(2) as a unit that shall be affordable to households whose incomes are not greater than 150 percent of the median income as defined below.

(iv) "Households whose incomes are not greater than 150 percent of the median income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150% of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code, Title 25, Section 6932.

(v) "Housing unit" or "unit" shall mean a dwelling unit or live/work unit.

(vi) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicant's successors and assigns.

(5) Construction of Live/work Units Above the 40 Foot Base Height Limit.

Live/work units relied upon to qualify for a height exception under this section shall be permitted only if:

(A) Each non-residential use within each individual live/work unit is limited to an arts-related activity as defined in Section 102.2 of this Code;

(B) One off-street parking space is provided for each live/work unit;

(C) Each live/work unit is sufficiently insulated for noise attenuation to insure that fixed source equipment, and/or non-fixed musical instruments or other similar audio equipment, shall not exceed the acceptable decibel levels established for residential use as specified in the San Francisco Noise Control Ordinance; and

~~(D)~~ The project satisfies the open space and freight loading provisions of this Code without administrative exceptions.

SEC. 301.

GENERAL DESCRIPTION OF ZONING PROCEDURES.

This section is a summary of provisions more fully described in the remainder of this Article.

The final legislative authority for enactment and amendment of the zoning provisions contained in this Code resides in the Board of Supervisors. However, all proposals for reclassifications of property or other amendments are considered first by the City Planning Commission, and its disapprovals are final unless overruled by the Board of Supervisors.

The provisions of this Code are administered by the Zoning Administrator and other staff members of the Department of City Planning, by means of public information, review of permit applications, keeping of records, interpretation of the meaning and intent of the Code, and enforcement actions against violations. The Zoning Administrator is also responsible for reviewing the effectiveness of the Code and recommending appropriate changes to the legislative authorities.

Certain specific uses and features in various zoning districts require approval by the City Planning Commission through conditional use procedures, in which the Commission determines whether the provisions of the Code are met.

The decisions of the Commission in these cases may be appealed to the Board of Supervisors.

In some cases, provisions of the Code may be relaxed by means of variances or administrative review granted by the Zoning Administrator, provided, for a variance, that certain specific findings can be made, and for administrative review that the conditions of the section authorizing such review are satisfied. Decisions in these cases may be appealed to the Board of Permit Appeals.

The responsibilities of each of these persons and agencies are derived from the San Francisco Charter.

SEC. 303.

CONDITIONAL USES.

- (a) General. The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this section and in Sections 306 through 306.5 except that Planned Unit Developments shall in addition be subject to Section 304, ((and)) medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use applications within South-of-Market districts shall be subject to Sections 316 through 316.7.
- (b) Initiation. A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.
- (c) Determination. After its hearing on the application, or upon the recommendation of the Zoning Administrator if the application is subject to Section 316 and no hearing is required, the City Planning Commission may approve the application and authorize a conditional use if the facts presented are such to establish:
1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
 2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - (A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - (B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

(D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan. Such action of the City Planning Commission, in either approving or disapproving the application, shall be final except upon the filing of a valid appeal to the Board of Supervisors as provided in Section 308.1.

(d) Conditions. When authorizing a conditional use as provided herein the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) Modification of conditions. Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

(f) Continuation.

1. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any conditional use that has been established as authorized by the City Planning Commission may continue as authorized so long as it is not changed to another use or feature, or discontinued for a continuous period of three years, or otherwise abandoned.

2. A conditional use shall not be restored when so abandoned, or changed to another use or feature that is classified as a conditional use in the district in which it is located, or significantly altered or intensified, except upon approval of a new conditional use application by the City Planning Commission.
3. Where a use or feature classified as a conditional use in the district in which it is located lawfully exists at the effective date of this Code, or at the effective date of any amendment imposing new conditional use requirements upon such use or feature in such district, such use or feature shall be deemed to be a permitted conditional use in the form in which it exists on such date, without further authorization except as provided in this subsection or in Section 205 of Article 2 of this Code.))

(g)

Delegation of Hearing. The City Planning Commission may delegate to a committee of one or more of its members, or to the Zoning Administrator, the holding of the hearing required by this Code for a conditional use action. The delegate or delegates shall submit to the City Planning Commission a record of the hearing, together with a report of findings and recommendations relative thereto, for the consideration of the Commission in reaching its decision in the case.

SEC. 306.2.

SCHEDULING OF HEARINGS

When an action for an amendment, conditional use or variance has been initiated by an application or otherwise, except as provided in Sections 316 through 316.7 for South of Market districts, the Zoning Administrator shall set a time and place for a hearing thereon within a reasonable period. In the case of an application for a variance, such period shall not exceed 30 days from the date upon which the application is accepted for filing.

SEC. 307.

OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.

In addition to those specified in Sections 302 through 306, the ~~Zoning~~ Administrator shall have the following powers and duties in ~~administration~~ and enforcement of this Code. The duties described in this section shall be performed under the general supervision of the Director of Planning, who shall be kept informed of the actions of the Zoning Administrator.

- (a) Rules, regulations and interpretations. The Zoning Administrator shall, consistent with the expressed standards, purposes and intent of this Code and pursuant to its objectives, issue and adopt such rules, regulations and interpretations as are in the Zoning Administrator's opinion necessary to administer and enforce the provisions of this Code. Such rules and regulations, and any such interpretations that will be of general application in future cases, shall be made a part of the permanent public records of the Department of City Planning. The Zoning Administrator shall respond to all written requests for determinations regarding the classification of uses and the interpretation and applicability of the provisions of this Code.
- (b) Compliance with this Code. The Zoning Administrator shall have authority to take appropriate actions to secure compliance with this Code, through review of permit applications, surveys and record keeping, enforcement against violations as described in Section 176, and other means.
- (c) Inspection of premises. In the performance of any prescribed duties, the Zoning Administrator and employees of the Department of City Planning authorized to represent the Zoning Administrator shall have the right to enter any building or premises for the purposes of investigation and inspection; provided, that such right of entry shall be exercised only at reasonable hours, and that in no case shall entry be made to any building in the absence of the owner or tenant thereof without the written order of a court of competent jurisdiction.
- (d) Code maintenance. The Zoning Administrator shall periodically review and study the effectiveness and appropriateness of the provisions of this Code, for the purpose of recommending necessary changes to the Director of Planning and the City Planning Commission.

- (e) Exercise of powers and duties by others. In cases where absence, incapacity, vacancy of the office, conflict of interest or other sufficient reasons prevents action by the Zoning Administrator, the Director of Planning may designate any officer or employee of the Department to carry out any function of the Zoning Administrator so affected.
- (f) Cooperation with other departments. The Zoning Administrator shall furnish to the various departments, officers and employees of the City vested with the duty or authority to issue permits or licenses (including but not limited to the Department of Public Works, Department of Public Health, Police Department and Fire Department) such information as will insure the proper administration of this Code and of the rules, regulations, interpretations and other determinations of the Department of City Planning relative thereto. It shall be the duty of said departments, officers and employees to cooperate with the Zoning Administrator in the performance of the Zoning Administrator's duties, and to assist in the enforcement of the provisions of this Code.
- (g) Exceptions from Certain Specific Code Standards through Administrative Review.
In the South of Market zoning districts the Zoning Administrator may allow complete or partial relief from parking, rear yard, and open space standards as authorized in the applicable sections of this Code, when application of the Code standard would represent a hardship or when modification of the standard would result in a project better fulfilling the criteria set forth in the applicable section. The procedures and fees for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2

SEC. 316. PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN SOUTH OF MARKET DISTRICTS.

In addition to the provisions of Section 306.1, 306.4, and 306.5 of this Code, the following procedures set forth in this and the following sections shall govern applications for conditional use authorization where this authorization is required pursuant to Sections 209.2(c), 209.2(f), 209.7(a), 209.7(c), 216(a), 216(e), 217(c), 217(d), 223(c), (d) and (e), 227(f), 227(i), 227(p), 232, 260(b)(2)(U) and 263.11 of this Code for any applicable South of Market district. The criteria for determinations on such applications are set forth in Section 303(c) of this Code. Additional criteria for determinations on certain applications are set forth in Section 263.11 of this Code.

SEC. 316.1. APPLICATIONS AND FILING FEES.

The provisions set forth in Section 306.1 of this Code shall govern with respect to applications and filing fees.

SEC. 316.2. ZONING ADMINISTRATOR REVIEW, SCHEDULING OF HEARING, AND RECOMMENDATION.

(a) Scheduling of Determination. The Zoning Administrator will review and schedule applications for conditional use authorization for City Planning Commission determination, either on a consent calendar, with a recommendation regarding action on the application, or at a public hearing. The Zoning Administrator will set a time and place for determination of each application within a reasonable period after filing of a complete application for a conditional use.

(b) -Consent Calendar with Recommendation. After reviewing an application, the Zoning Administrator may determine if the facts presented establish that the proposed use or feature is in conformity with the applicable criteria set forth in this Code, and may recommend disapproval, approval or approval with conditions, placing that recommendation on a Commission consent calendar.

- (c) Public Hearing. After reviewing an application, the Zoning Administrator may determine that the public interest would best be served by a hearing where public testimony can be received on the application and shall in that event schedule the application for a public hearing.
- (d) Report and Recommendation. In all actions involving a consent calendar or public hearing, the Zoning Administrator will make necessary investigations and studies and submit proposed findings to the Director of the Department of City Planning. The report and recommendation of the Director of City Planning will be submitted to the Commission before its decision.

SEC. 316.3. NOTICE OF RECOMMENDATION AND DETERMINATION.

After review of an application subject to these procedures and scheduling of the matter for Planning Commission determination, the Zoning Administrator shall provide notice of the recommendation to be placed on a consent calendar and of the date and time that the matter will be considered by the Commission; or, in the event of a public hearing, shall provide notice of the time, place, and purpose of the hearing, in either case at least 20 days prior to the date that the matter is scheduled for determination by the City Planning Commission, as follows:

- (a) By mail to the applicant or other person or agency initiating the action.
- (b) By posting on the subject property.
- (c) By publication at least once in a newspaper of general circulation in the City.
- (d) By mail to property owners within 300 feet of the property that is the subject of the action using the names and addresses of owners as shown on the latest citywide assessment roll in the office of the tax collector, and to groups or individuals requesting such notice in writing. Failure to send notice by mail to any such property owner where the address of such owner is not shown on such assessment roll shall not invalidate any proceedings in connection with such action.

- (e) Such other notice as the Zoning Administrator shall deem appropriate.

SEC. 316.4. REQUEST FOR RECONSIDERATION OF CONSENT CALENDAR ITEMS AT A PUBLIC HEARING.

- (a) Requests. Any application which is the subject of a consent calendar recommendation will be scheduled for a full public hearing if a request is made in writing prior to the date that the matter is scheduled for determination by the City Planning Commission or at the Commission meeting by any of the following:

1. The applicant; or
2. Ten or more property owners or tenants of residential or commercial property within 300 feet of the exterior boundaries of the subject property; or
3. Any City Planning Commissioner.

- (b) Rescheduling. An item for which a request for public hearing has been made pursuant to subsection (a), above, will be rescheduled for City Planning Commission review and determination at a public hearing. Notice of the time, place and purpose of the public hearing shall be provided as follows, at least 10 days before the scheduled date of the public hearing, except that notice by publication shall be not less than 20 days prior to the date of the hearing.

1. By mail to the applicant or other person or agency initiating the action.
2. By posting on the subject property.
3. By publication at least once in a newspaper of general circulation in the City.
4. By mail to all persons requesting such notice in writing.
5. Such other notice as the Zoning Administrator shall deem appropriate.

SEC. 316.5. CONDUCT OF CONSENT CALENDAR AND DETERMINATION.

(a) DETERMINATION. On applications placed on a consent calendar, the City Planning Commission will consider the Director of Planning's recommendation and make a determination regarding authorization of the conditional use. The City Planning Commission may concur with that recommendation without public testimony unless there is a request for public hearing as provided in Section 316.4 of this Code.

(b) Decision. An action taken by the City Planning Commission to disapprove, approve or approve with conditions, as recommended on a consent calendar, shall be final except upon filing of an appeal as provided for in Section 316.7 of this Code.

SEC. 316.6. CONDUCT OF PUBLIC HEARINGS AND DETERMINATION.

The provisions set forth in Section 306.4 of this Code with respect to conduct of hearings shall govern whenever a full public hearing is required pursuant to Section 316.2 or 316.4 of this Code.

SEC. 316.7. APPEAL.

A final determination by the City Planning Commission on an application for conditional use authorization may be appealed to the Board of Supervisors pursuant to the provisions of Section 308.1 of this Code.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By


Deputy City Attorney

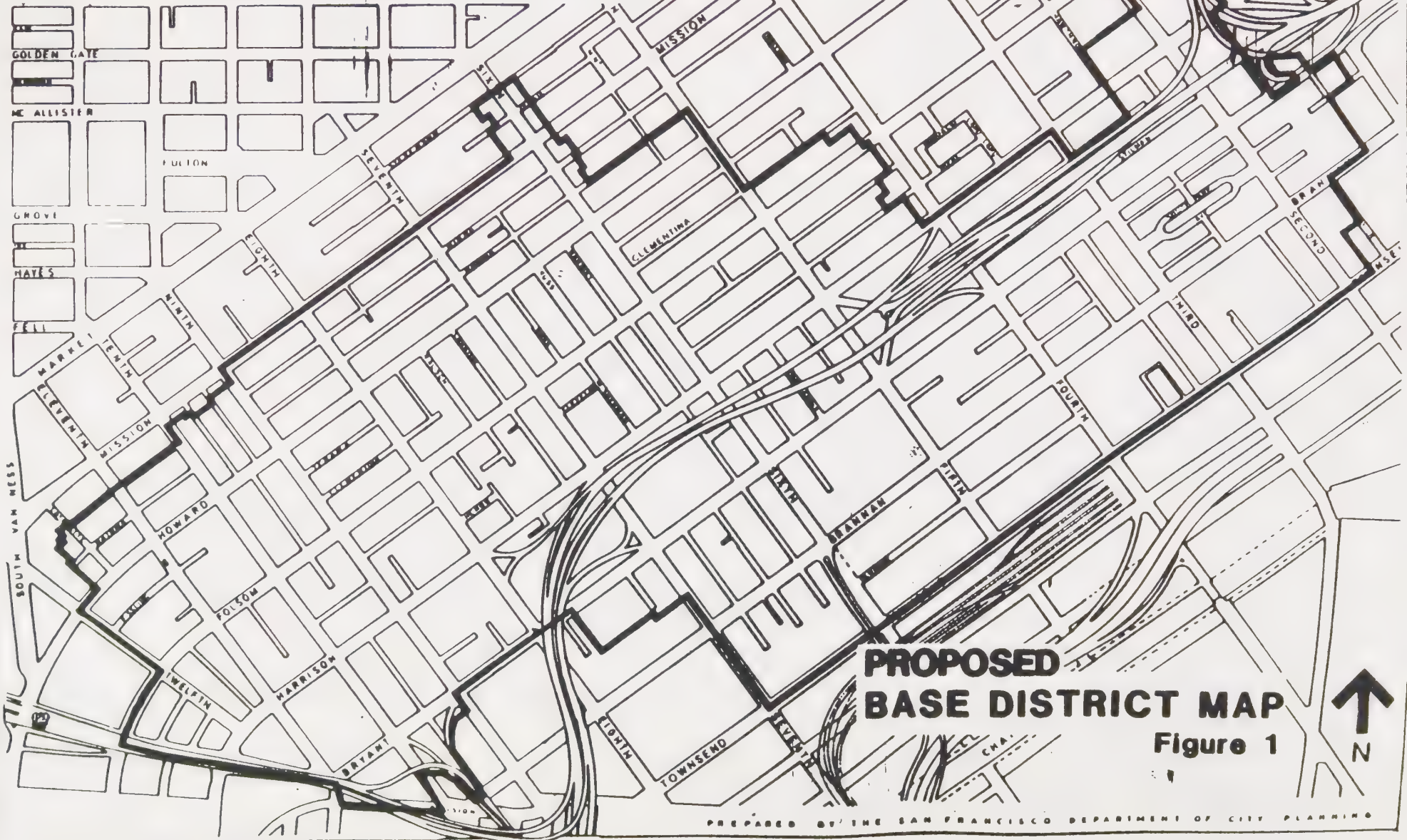
PROPOSED ZONING MAP AMENDMENTS

EXHIBIT B--South of Market Interim Zoning Controls Maps: File No. 85.237ETZ

SOUTH OF
MARKET
MARKET

SOUTH OF MARKET

INTERIM ZONING CONTROLS
SEPT 1986



**PROPOSED
BASE DISTRICT MAP**

Figure 1

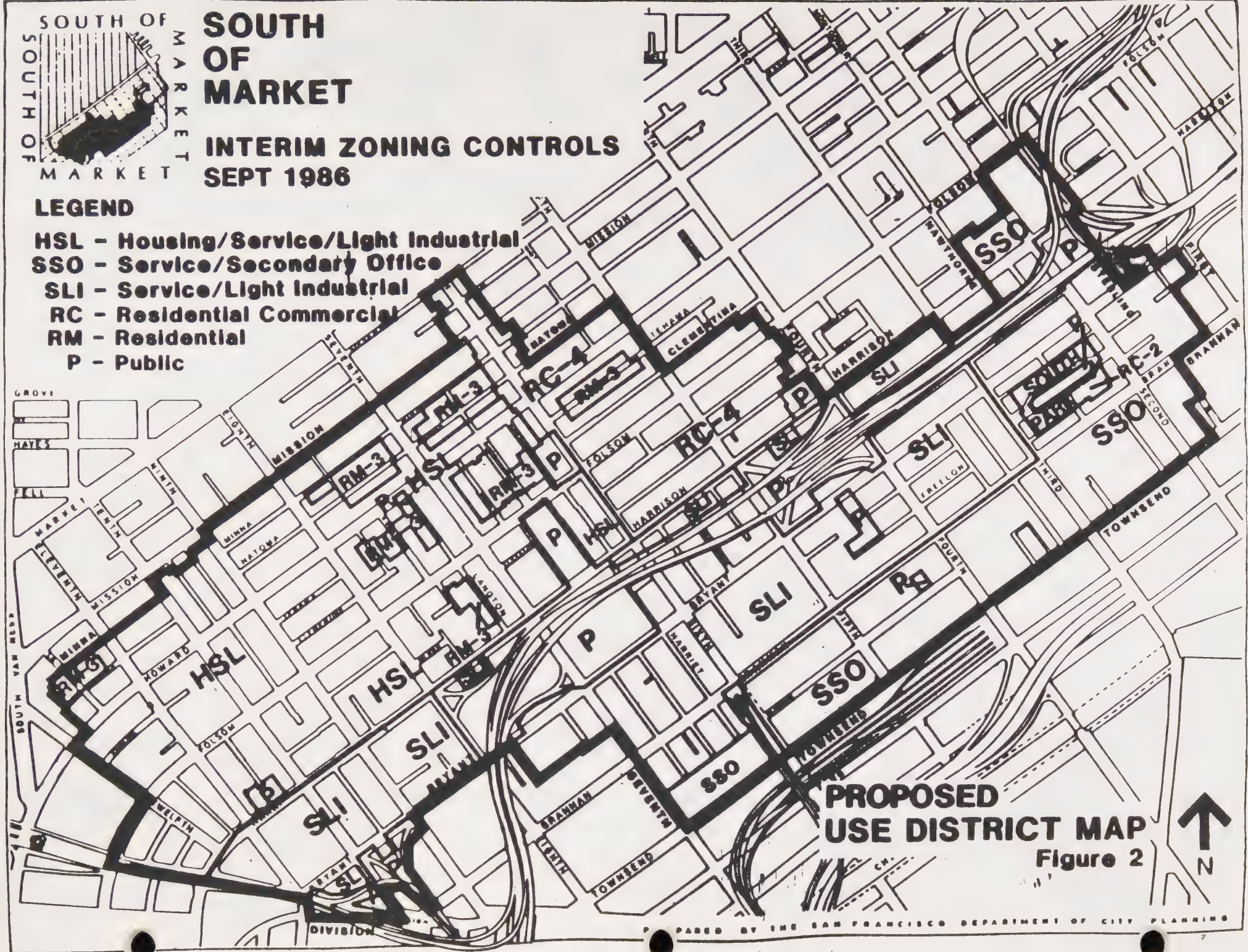


SOUTH OF MARKET

INTERIM ZONING CONTROLS
SEPT 1986

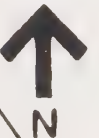
LEGEND

- HSL - Housing/Service/Light Industrial
- SSO - Service/Secondary Office
- SLI - Service/Light Industrial
- RC - Residential Commercial
- RM - Residential
- P - Public



PROPOSED
USE DISTRICT MAP

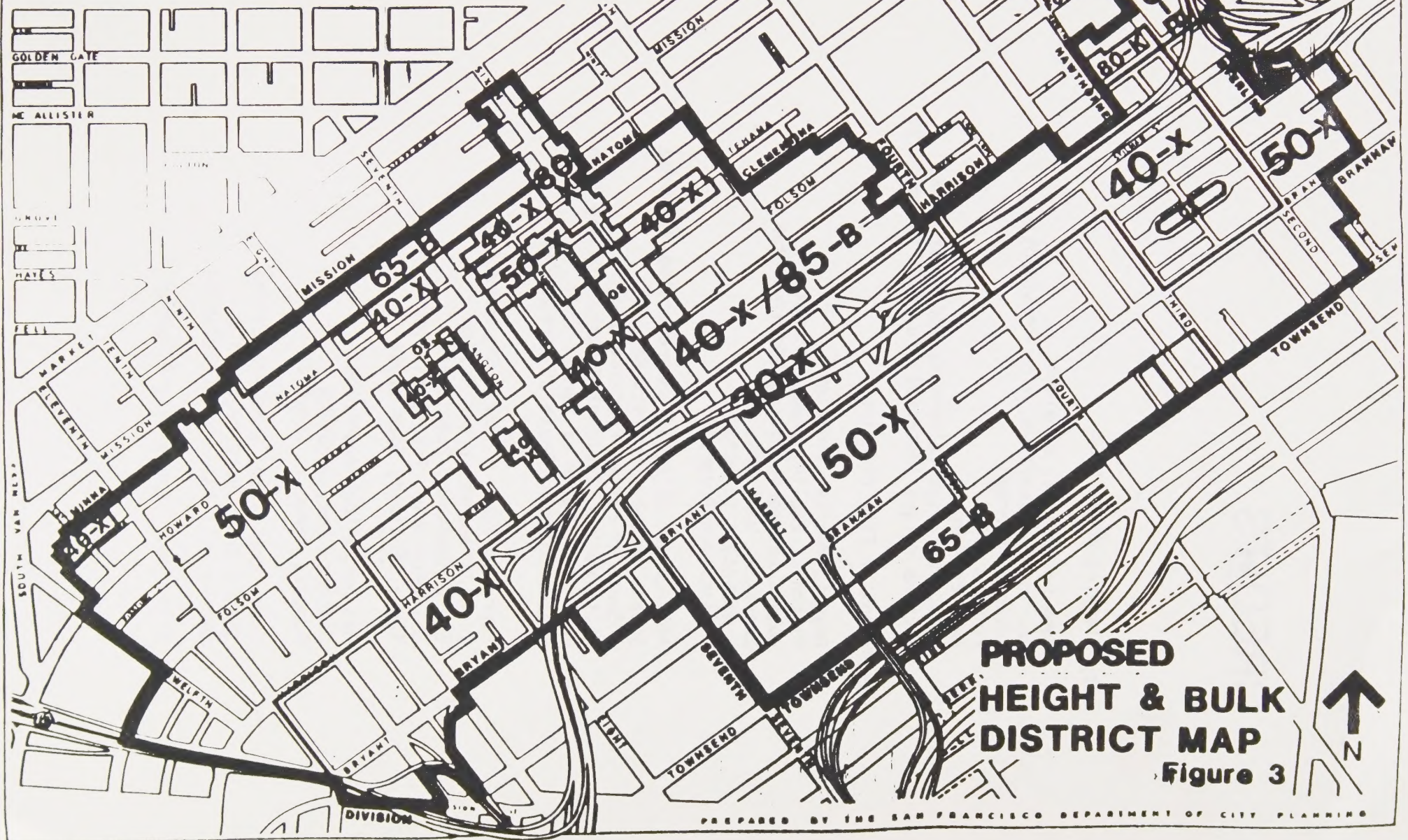
Figure 2



SOUTH OF
MARKET
MARKET

SOUTH OF MARKET

INTERIM ZONING CONTROLS
SEPT 1986



**PROPOSED
HEIGHT & BULK
DISTRICT MAP**

Figure 3

CREDITS

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11